

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCE - W/S York Rd., 542' N of c/l Schwartz Ave. * DEPUTY ZONING COMMISSIONER
(6400 York Road) * OF BALTIMORE COUNTY
9th Election District * Case No. 92-420-SPHA
4th Councilmanic District *
Scripps Howard Broadcasting Co.
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing in which the Petitioner requests approval of an amendment to the special exception and site plan previously granted in Case No. 84-268-XSPH to permit the construction of one (1) additional accessory satellite receiving dish and to permit an accessory satellite dish field in the rear/side yard; and a Petition for Zoning Variance requesting relief from Section 429.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory satellite receiving dish to be located in the front yard in lieu of the required rear yard and to permit a dish of 16.5 feet in diameter in lieu of the maximum permitted 10 feet, all as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Scripps Howard Broadcasting Company, by Joseph M. Bruno, Owner, appeared, testified and was represented by Stephen J. Nolan, Esquire. Also appearing on behalf of the Petition were Arnold J. Kleiner, Vice President, WMAR TV; Harry R. Kakel, Jr., William F. Kirwin, Engineer; William G. Ulrich, Registered Land Surveyor; and Jean K. Duvall and Stephany W. S. Harper, residents of the area. There were no Protestants.

It should be noted that the Petitioner's Counsel, Stephen J. Nolan, Esquire, amended the Petition for Special Hearing to add that the proposed addition of a satellite dish and dish field would be for "receiv-

er dishes", only. The amended Petition for Special Hearing was accepted and incorporated into the case file.

Testimony indicated that the subject property, known as 6400 York Road, consists of 3.92 acres, more or less, zoned D.R. 5.5 and is the site of the WMAR TV Channel 2 television and radio station. Said property was the subject matter of previous Case No. 5277-X in which the Petitioner was granted permission to use the property for a radio station, television studio and a wireless transmitting and receiving structure, subject to restrictions, on May 31, 1961. Subsequently, in Case No. 82-254-XSPH, the Petitioner was granted a special exception and special hearing to construct a satellite receiving antenna and to extend the boundaries of the existing studio to include additional parking, subject to restrictions, on June 3, 1982. Then in Case No. 84-268-SPH the Petitioner was granted permission to construct two additional satellite receiving antennae, subject to restrictions, on April 13, 1984. The Petitioners now wish to add one additional accessory satellite receiving dish and request approval to permit an accessory satellite dish field to be located in the rear/side yard for receiver dishes, only. The requested variances are necessary due to the size of the additional satellite dish, its proposed location in the front yard, and the proposed site for the satellite dish field in both the side and rear yards as depicted on Petitioner's Exhibit 1.

The cumulative testimony of all the witnesses was that WMAR TV has existed on the subject property for many years. The Petitioner, being in the television broadcast business, is desirous of placing an additional five meter (receive only) satellite dish in front of the existing building on York Road as depicted on Petitioner's Exhibit 1, a site plan of the property. The proposed satellite dish will be located adjacent to an

- 2 -

existing, larger antenna. Testimony indicated that the proposed location in the front yard is the only suitable site for the dish due to existing and surrounding uses on the property. William F. Kirwin testified that the existing satellite dish, which is also located in the front yard, is properly screened by trees and shrubs. He testified that additional landscaping will be placed in the front yard to provide even further screening of both the existing and proposed satellite dishes. Said landscaping will be sufficient to properly screen both dishes from the view of passing motorists and adjacent neighbors.

The Petitioner is also desirous of installing a satellite dish field in the rear/side yard of the subject property as depicted on Petitioner's Exhibit 1. Although the Petitioner does not intend to immediately situate satellite dishes in the proposed field, this area would be reserved for future satellite receiving antennae and would allow the Petitioner to erect a satellite dish without the need for a future hearing. Mr. Kirwin testified that landscaping would be added in the rear yard to mitigate any effects that may be caused by the proposed satellite dish field. Mr. Kirwin agreed to work with Avery Harden, the Baltimore County Landscape Planner, to develop the best possible landscaping for this site.

The cumulative testimony presented by the two neighborhood residents who appeared was that WMAR TV has been a very considerate and gracious neighbor. They indicated that the property has always been neat and clean and beautifully landscaped. In addition, they testified that the Petitioner has always been receptive to any concerns and problems raised by their neighbors.

The cumulative testimony presented by the expert witnesses who appeared and testified on behalf of the Petitioner was that the proposed

- 3 -

additions to the subject site satisfy and comply with the requirements of Section 307.1 of the B.C.Z.R. which deals with the granting of variances and Section 502.1 of the B.C.Z.R. which deals with special exceptions and special hearings to amend previously granted special exceptions.

Various comments were submitted by Baltimore County agencies. The Office of Planning recommended approval of the Petitioner's request, but required that the Petitioner submit a landscape plan for their review and approval. The Office of Planning also suggested berming in conjunction with the landscaping. However, after full discussion of this matter at the hearing, it was determined that placing a berm on the property would not be beneficial to this site. It was agreed that the Petitioner would not be required to place any berming on the property.

Comments were also submitted by the Bureau of Traffic Engineering. That Bureau recommended making the northern access driveway to the subject site a one-way access, in-bound. This comment was discussed in detail at the hearing, and again, it was decided it would not be feasible or workable in this case. Therefore, the existing traffic pattern and flow on the subject property is sufficient to satisfy any traffic generated by WMAR TV.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

- 4 -

his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel.

In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the

B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of June, 1992 that the Petition for Special Hearing requesting approval of an amendment to the special exception and site plan previously granted in Case No. 84-268-XSPH to permit the construction of one (1) additional accessory satellite receiving dish and to permit an accessory satellite dish field in the rear/side yard, for receiver dishes, only, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 429.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory satellite receiving dish to be located in the front yard in lieu of the required rear yard and to permit a dish of 16.5 feet in diameter in lieu of the maximum permitted 10 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) All satellite dishes intalled on the subject property shall be "receiving dishes", only, and shall not constitute "sending" units. This restriction may only be modified by way of a future public hearing.
- 3) Within thirty (30) days of the date of this Order the Petitioner shall submit a landscape plan for approval by the Deputy Director of Planning and the

Landscape Planner for Baltimore County. In addition to the landscaping required by the Office of Planning, the Petitioner shall also continue the existing row of white pines located along the rear westernmost property line of the subject site. All landscaping shall be completed within one (1) year of the date of this Order.

4) The flood lights mounted on the Petitioner's building shall be directed in a downward manner to mitigate the spillage of light onto nearby residences.

5) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 18, 1992

Stephen J. Nolan, Esquire
Nolan, Plumhoff & Williams
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
W/S York Road, 542' N of the c/l of Schwartz Avenue
(6400 York Road)
9th Election District - 4th Councilmanic District
Scripps Howard Broadcasting Company - Petitioner
Case No. 92-420-SPHA

Dear Mr. Nolan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

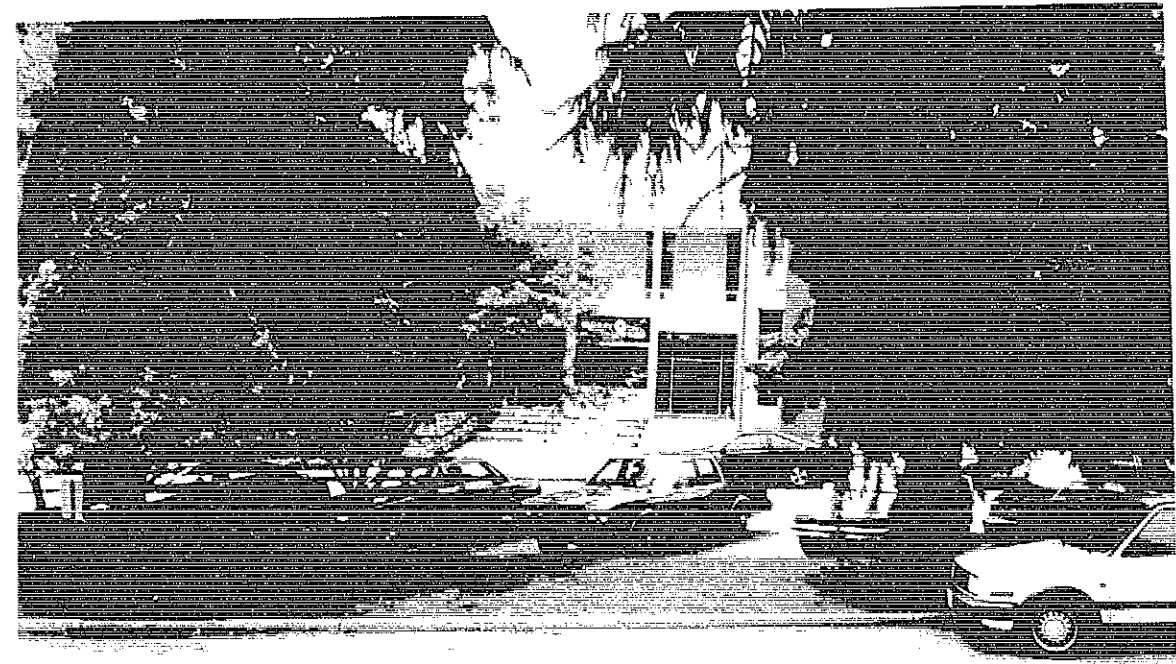
file

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- 6 -

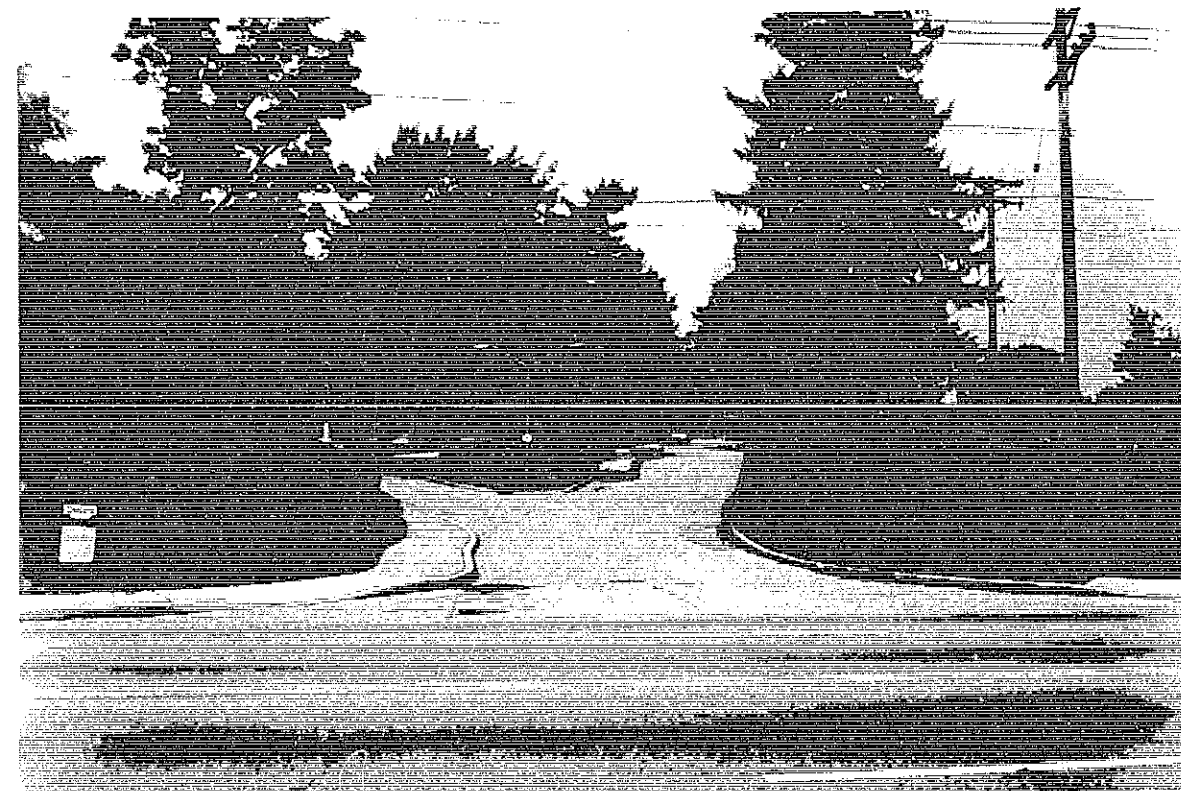
- 7 -

CASE #92-420-SPHA



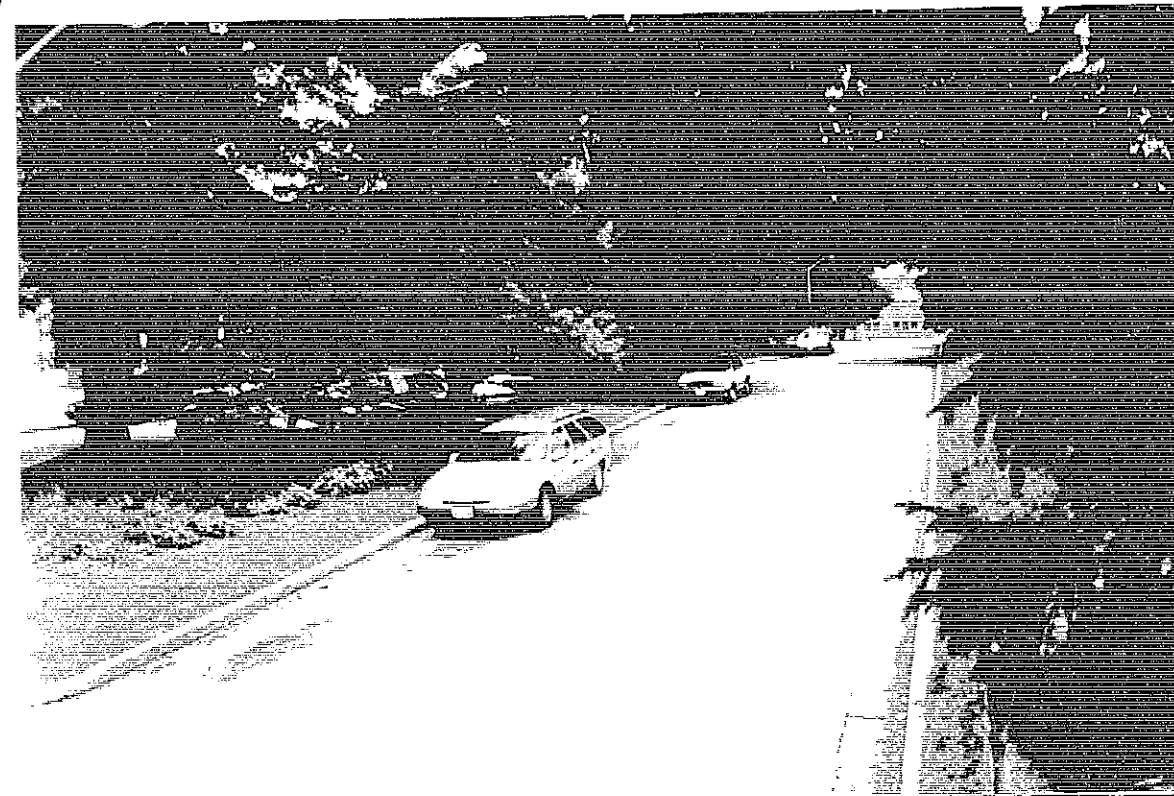
2 A.

PETITIONER'S
EXHIBIT 2A+B



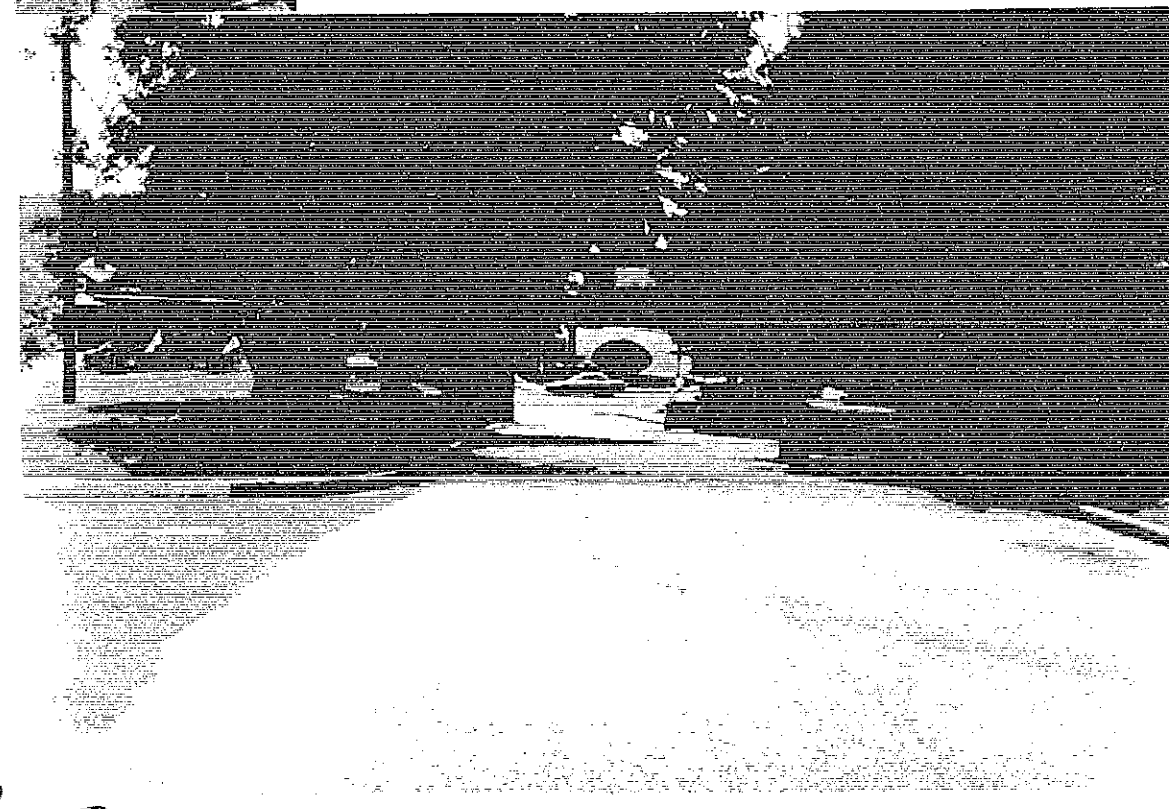
2 B.

CASE #92-420-SPHA



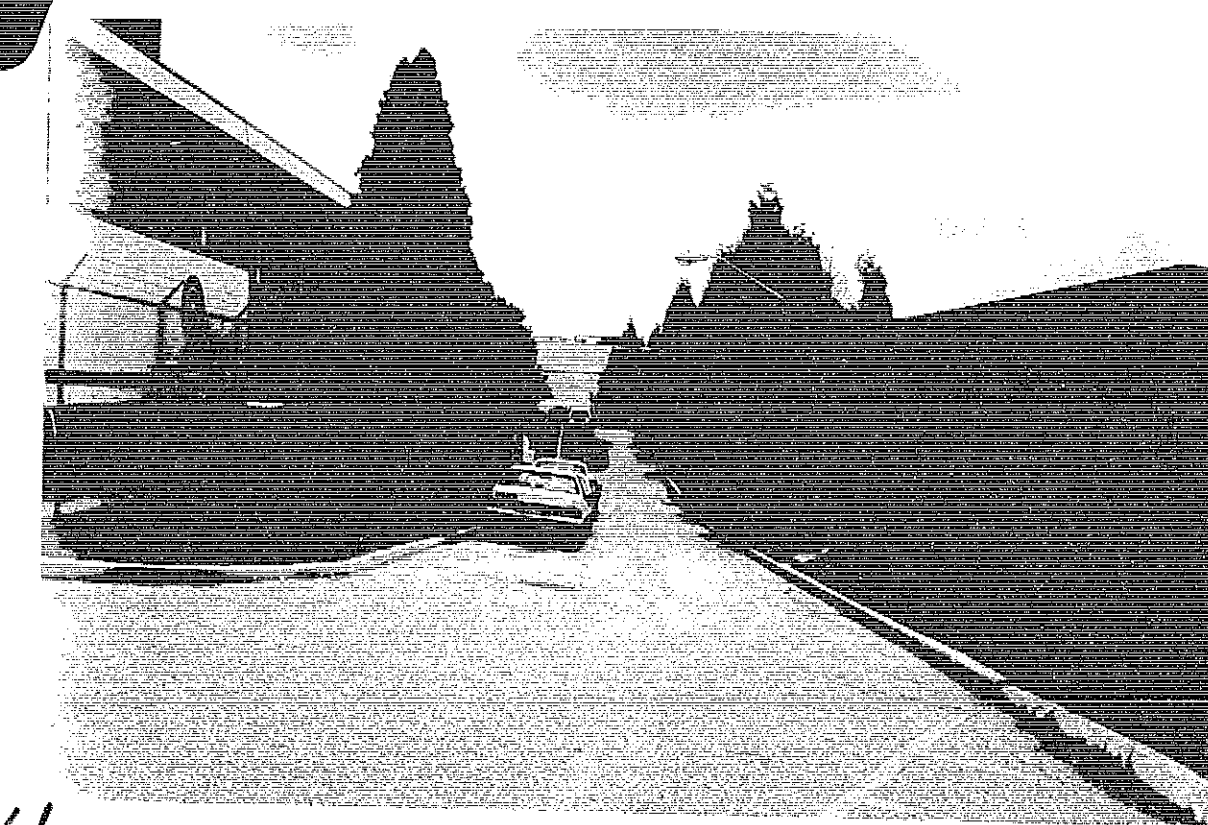
4 A.

PETITIONER'S
EXHIBIT 4A+B



4 B.

CASE #92-420-SPHA



4 C.

PETITIONER'S
EXHIBIT 4C+D



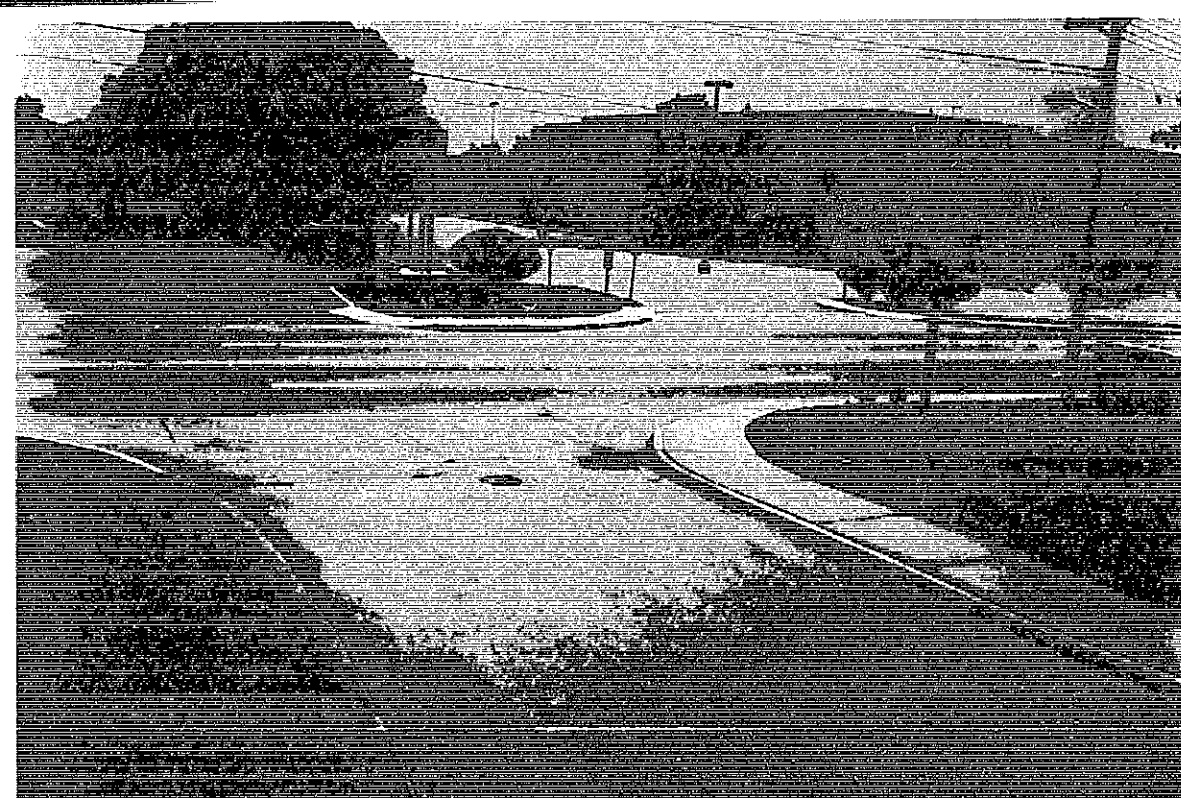
4 D.

CASE #92-420-SPHA



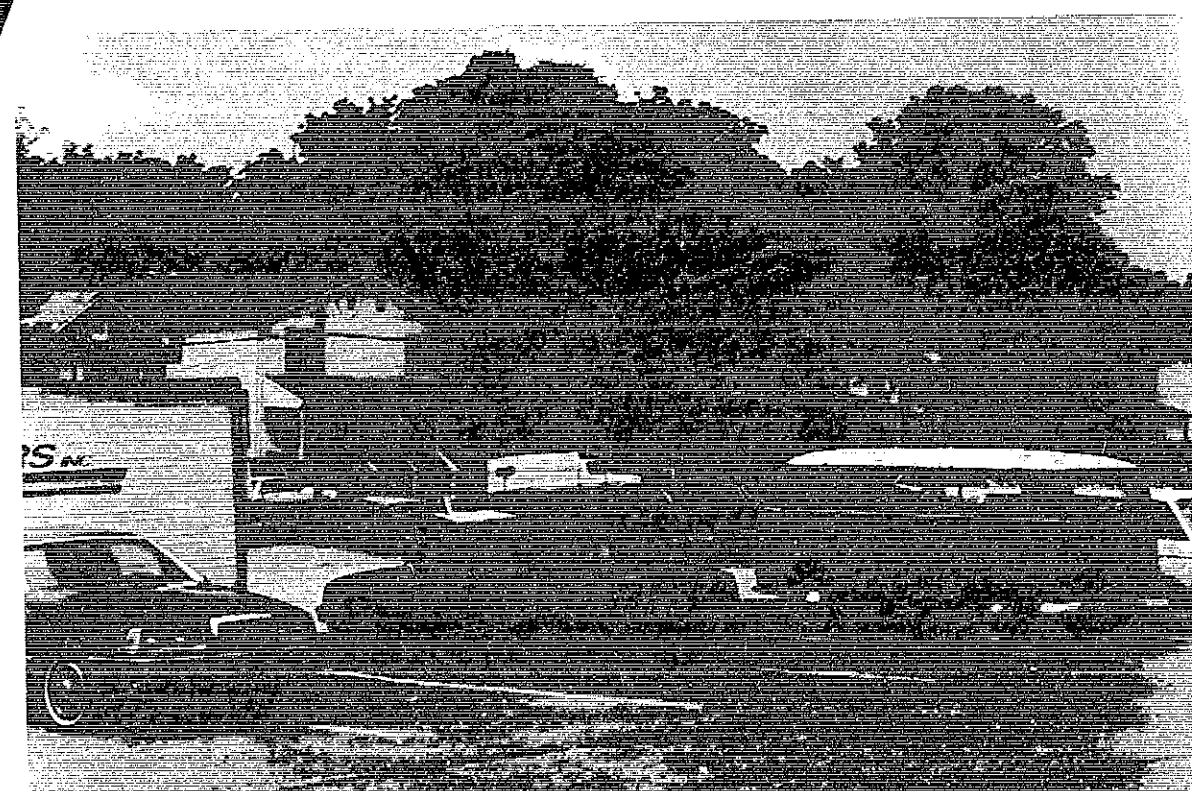
10 A.

PETITIONER'S
EXHIBIT 10A+B



10 B.

CASE #92-420-SPHA



40 SCHWARTZ AVENUE VIEW
40 C.

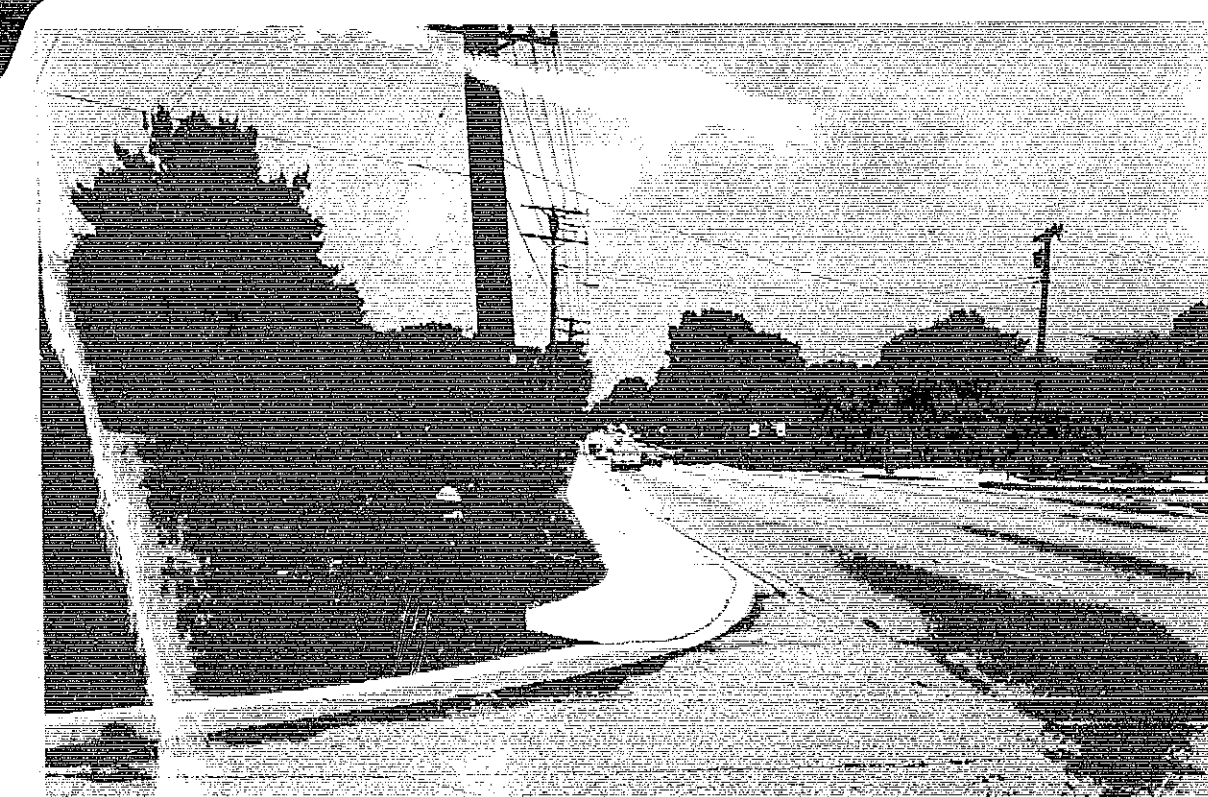
PETITIONER'S
EXHIBIT 10C+D



10 D.

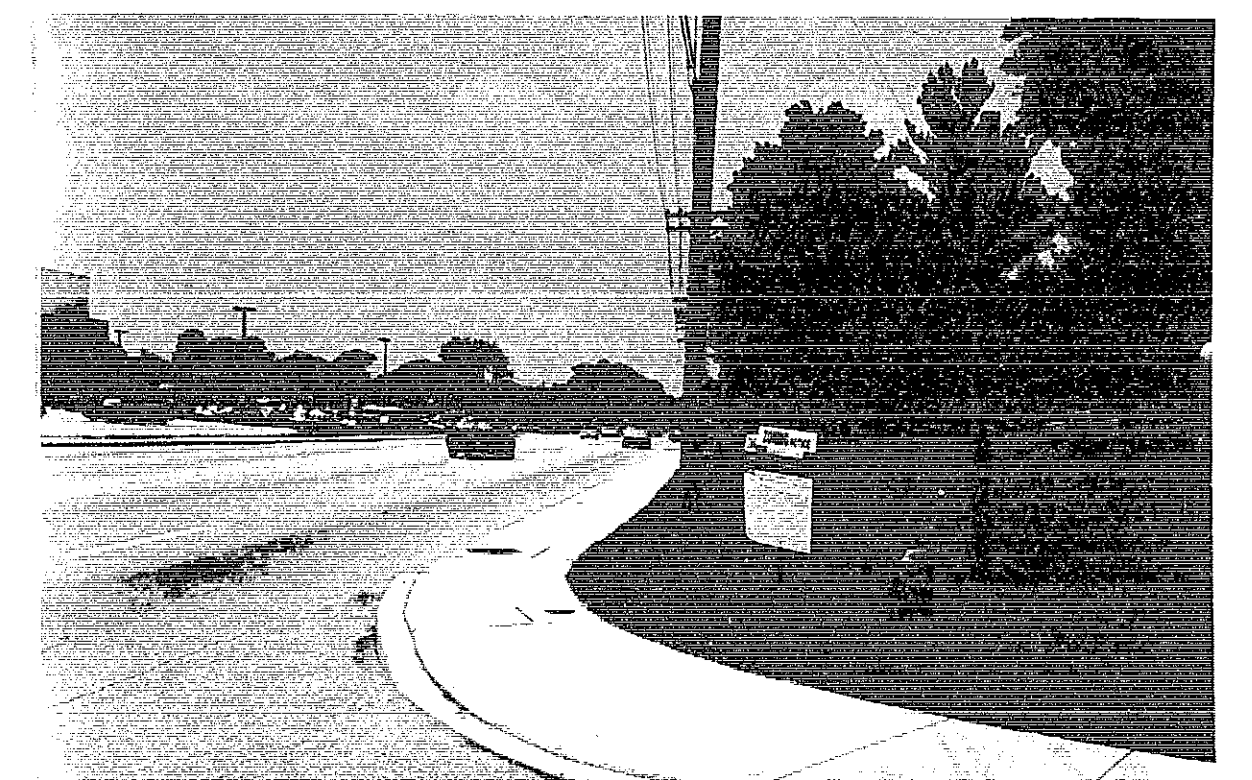
DISH ATOP GOLDEN ARM

CASE #92-420-SPHA

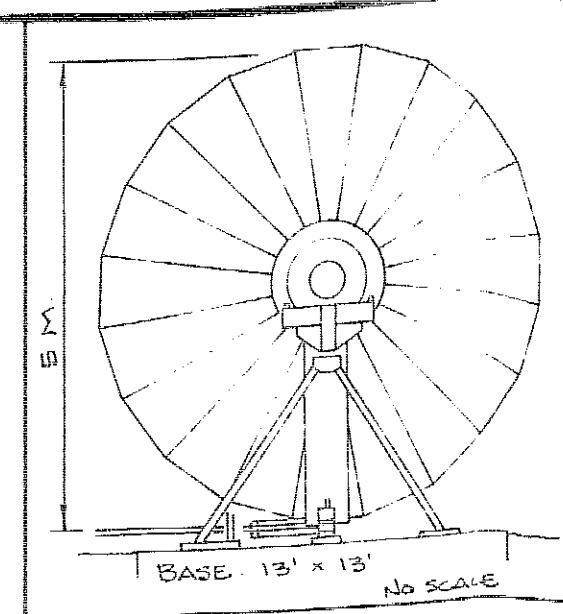


4 E.

PETITIONER'S
EXHIBIT 4E+4F

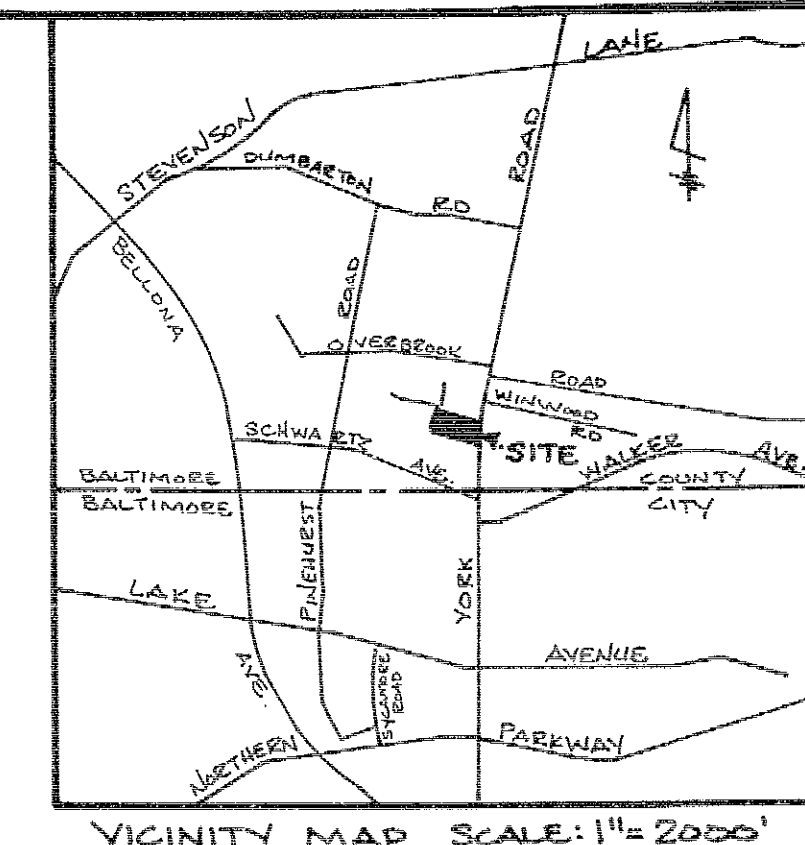


4 F.



THE SATELLITE RECEIVE ANTENNA SHALL BE A 5 METER DISH, A MAXIMUM HEIGHT OF 20' AND BE HOUSED ON A CONCRETE PAD INSTALLED FLUSH WITH GROUND LEVEL AT GROUND'S LOWEST LEVEL.

MOST REVEREND FRANCIS P. KEOUGH
ARCHBISHOP OF BALTIMORE



PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING TO AMEND SPECIAL EXCEPTION AND SITE PLAN IN CASE No. 84-268-X SPH, TO PERMIT THE CONSTRUCTION OF ONE ADDITIONAL SATELLITE RECEIVE DISH AND TO PERMIT A SATELLITE DISH FIELD IN THE REAR-SIDE YARD.

VARIANCE:
To permit an accessory satellite receiving dish to be located in the front yard in lieu of the rear yard and to permit a dish of 10.5 feet in diameter in lieu of the maximum 10 feet [429.2']

C-BAND FEEDS:

- * CNN HEADLINE NEWS
- * BUSINESS THIS MORNING
- * DONAHUE
- * SALLY JESSY RAPHAEL
- * GERALDO
- * MONTELL WILLIAMS
- * OPRAH
- * WHEEL OF FORTUNE
- * JEOPARDY
- * INSIDE EDITION
- * ORIOLES BASEBALL
- * THIS WEEK IN BASEBALL
- * FIRST LOOK
- * K-TV
- * WEEKEND TRAVEL UPDATE
- * MEMORIES: THEN & NOW

DAILY FEEDS

KU-BAND FEEDS:

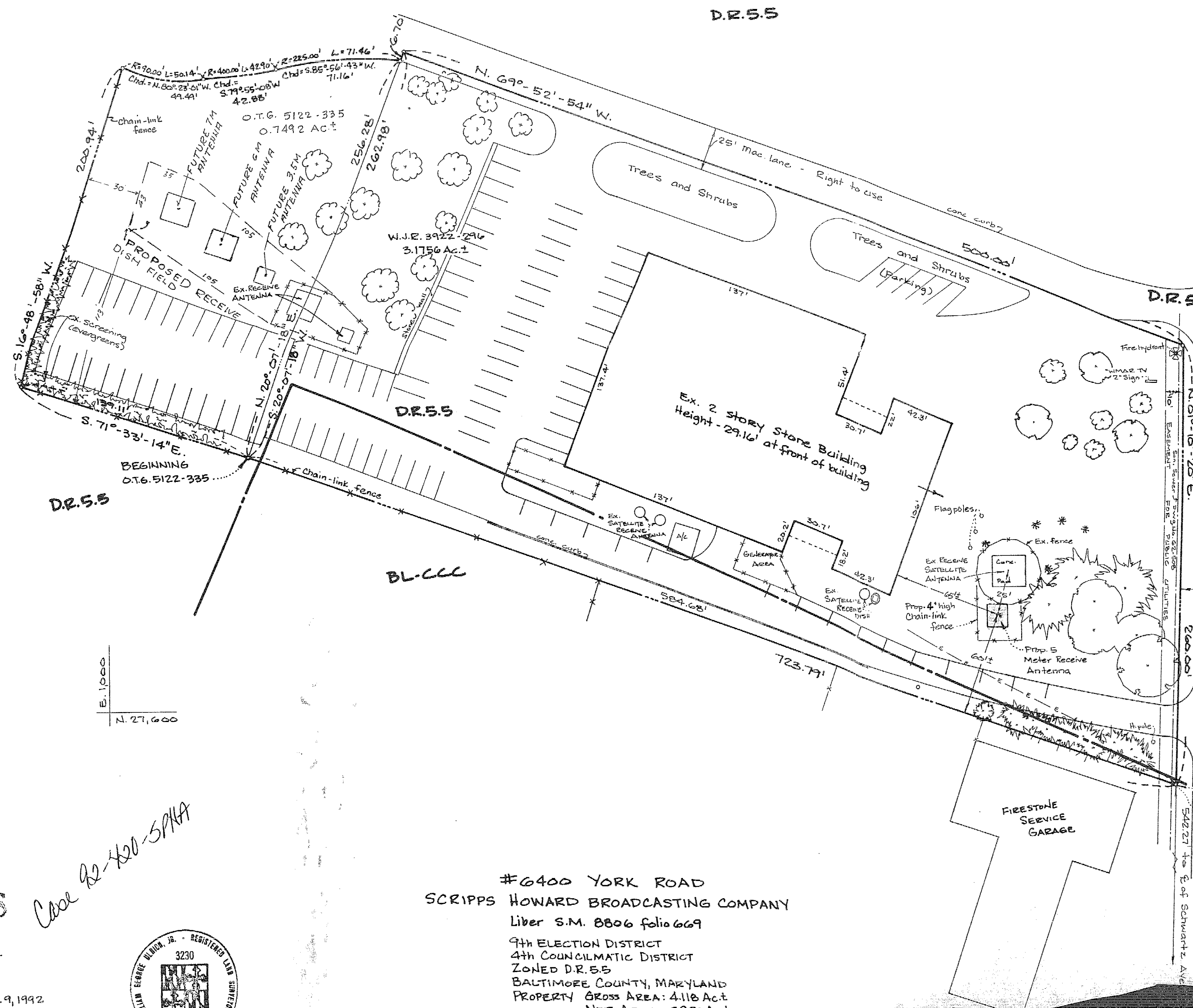
- * NBC PROGRAMMING
- * NBC NEWS
- * NBC NEWSCHANNEL
- * CNN NEWS
- * NEWSCHANNEL 2 REMOTE FEEDS

PREVIOUS ZONING CASES:

- 84-268 sph to permit construction of 2 additional satellite receive antennas subject to the following restrictions:
1. 3 meter dish shall have a maximum height of 12'
 2. Approval of aforementioned site plan by the Office of Planning and Zoning approved April 13, 1984.
- 82-254 X sph to allow construction of a satellite receive antenna subject to the following restrictions:
1. The site plan shall indicate the exact placement of the satellite receive antenna.
 2. The satellite receive antenna shall be a "T-meter dish", a maximum height of 20', and be housed on a concrete pad installed flush with ground level at ground's highest level.
 3. Landscaping shall be in accordance with the Petitioner's Exhibits 4 and 5.
 4. A revised site plan, incorporating the above restrictions, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.
- also to extend the boundaries of the existing studio to include additional parking subject to the following restrictions:
1. Compliance with Section 409.4 of the Baltimore County Zoning Regulations.
 2. The site plan shall indicate all existing parking on the entire site.
 3. Evergreen screening shall be planted on the west and south sides of the subject property adjacent to the Baltimore County Park.
 4. A revised site plan, incorporating the above restrictions, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approved by the Current Planning and Development Division.
- approved JUNE 3, 1982.
- 52-77-X to the use of the property for a radio station, a television studio and a wireless transmitting and receiving structure subject to the following restrictions:
1. There will be no wireless transmitting tower, instead there will be a connecting link which consists of a dish-shaped object completely concealed behind a plastic window in the upper portion of the building.
 2. Adequate parking for both the staff and visitors has been planned and the parking lot shall be screened.
 3. Final plans shall be submitted to the Office of Planning and Zoning and upon arrival shall be returned to the Zoning Commissioner and made a part of this Order.
 4. The granting of the special exception is also subject to approval of the plans by the State Roads Commission and the Bureau of Land Development.
- approved May 31, 1961

ATHLETIC FIELD
BALTIMORE COUNTY,
MARYLAND

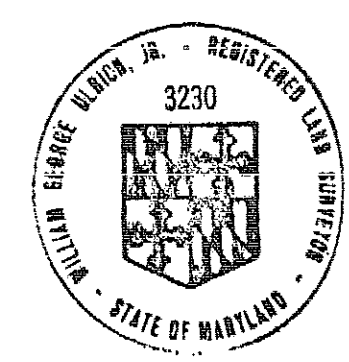
D.R.55



#6400 YORK ROAD
SCRIPPS HOWARD BROADCASTING COMPANY
Liber S.M. 8806 folio 669
9th ELECTION DISTRICT
4th COUNCILMATIC DISTRICT
ZONED D.R.55
BALTIMORE COUNTY, MARYLAND
PROPERTY GROSS AREA: 4.116 ACt
NET AREA: 3.921 ACt

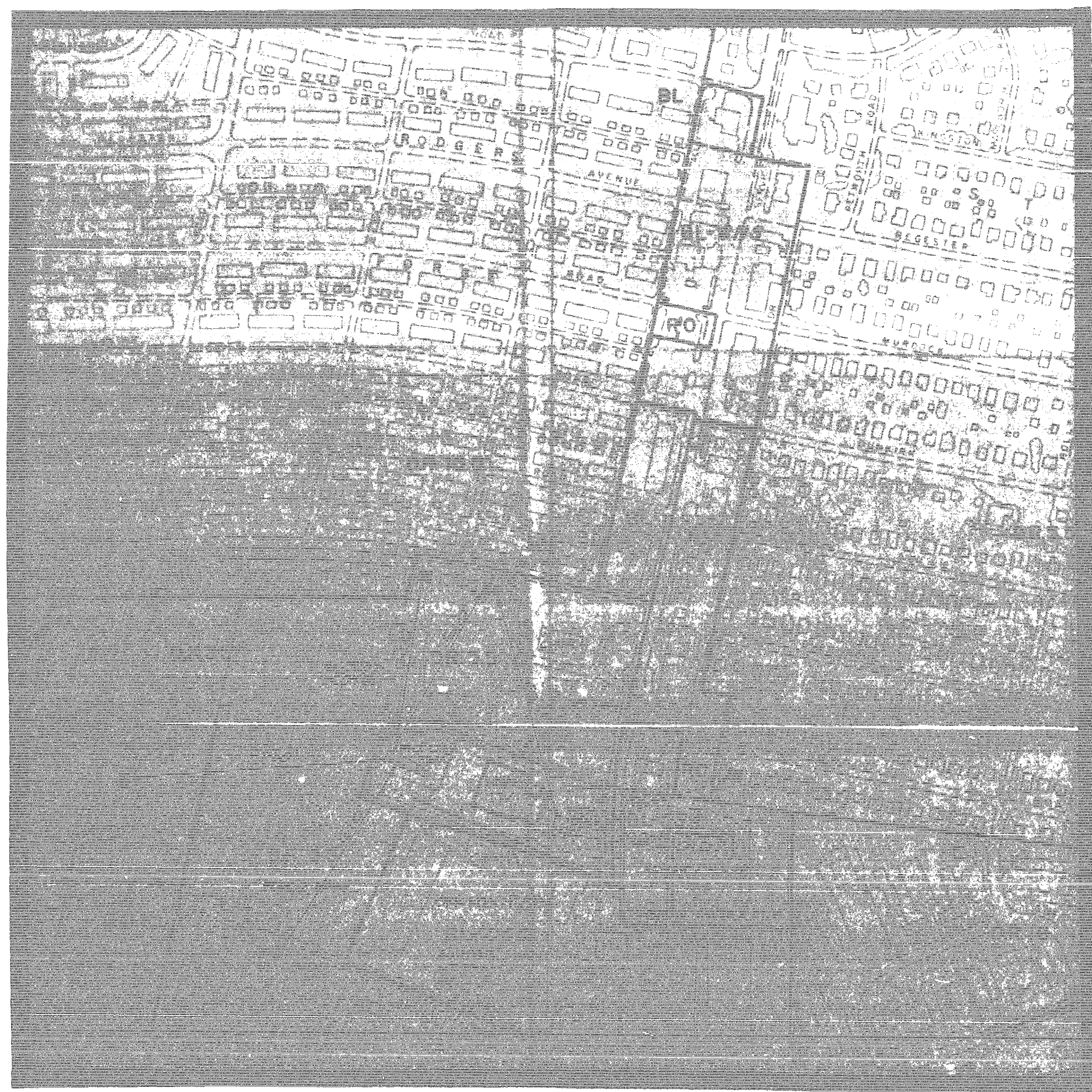
PETITIONER'S
EXHIBIT 3

Case 82-420-5949



William S. Wuch

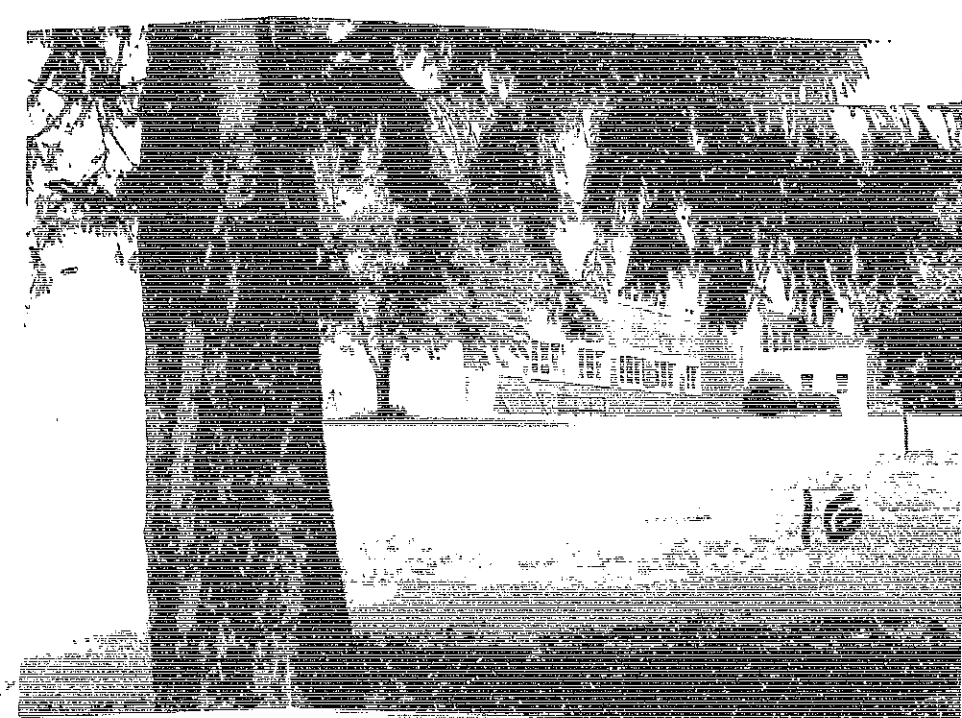
SCALE: 1" = 40'
DATE: APRIL 9, 1992
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
(410) 823-4470



PETITIONER'S
EXHIBIT _____

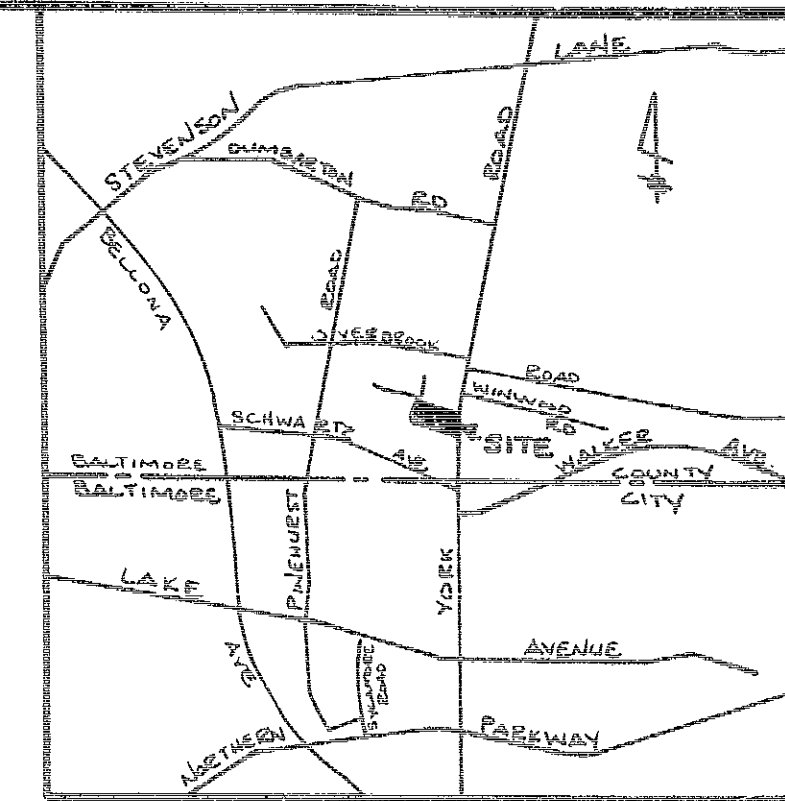
WFK WILLIAM F. KIRWIN, INC.

100 E. Washington Avenue
Towson, MD 21204
(410) 281-1100



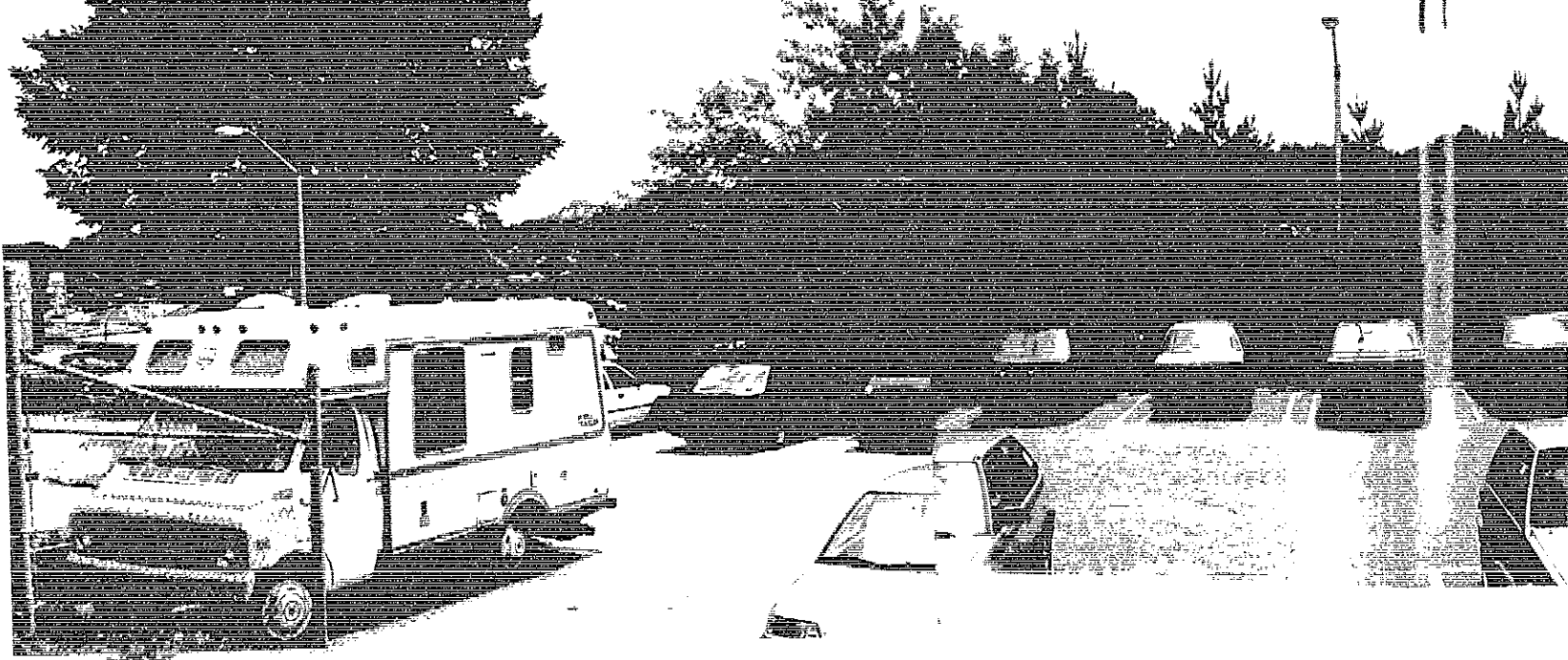
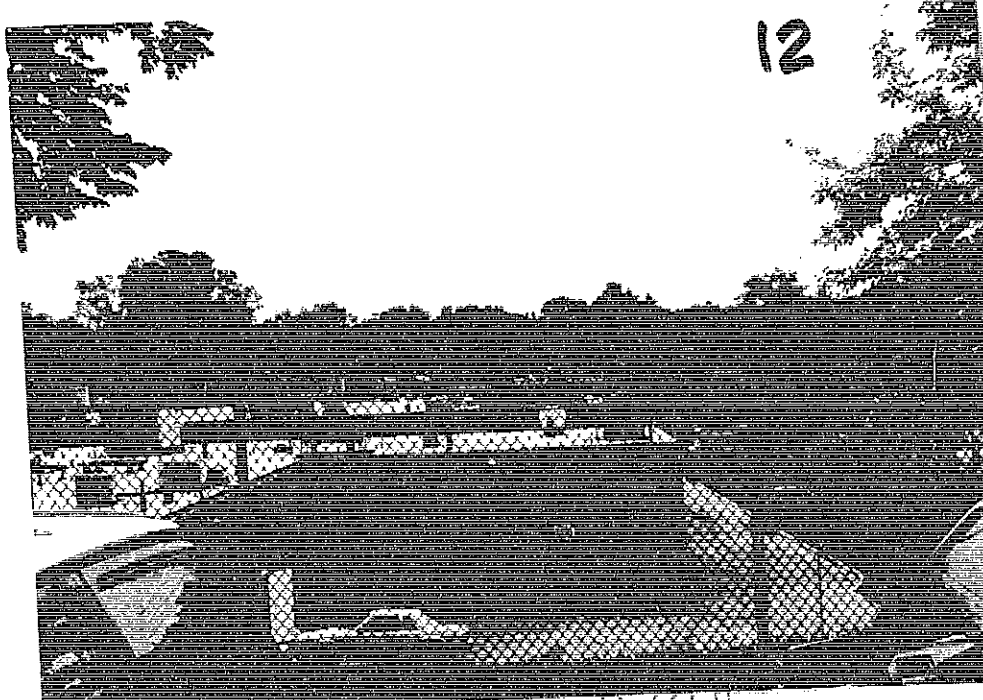
THE SATELLITE RECEIVE ANTENNA SHALL BE A 5 METER DISH, A MAXIMUM HEIGHT OF 20' AND BE HOUSED ON A CONCRETE PAD INSTALLED FLUSH WITH GROUND LEVEL AT GROUND'S LOWEST LEVEL.

17' FROM SCHOOL PKG. LOT SOUTH TO SITE (REAR YARD)

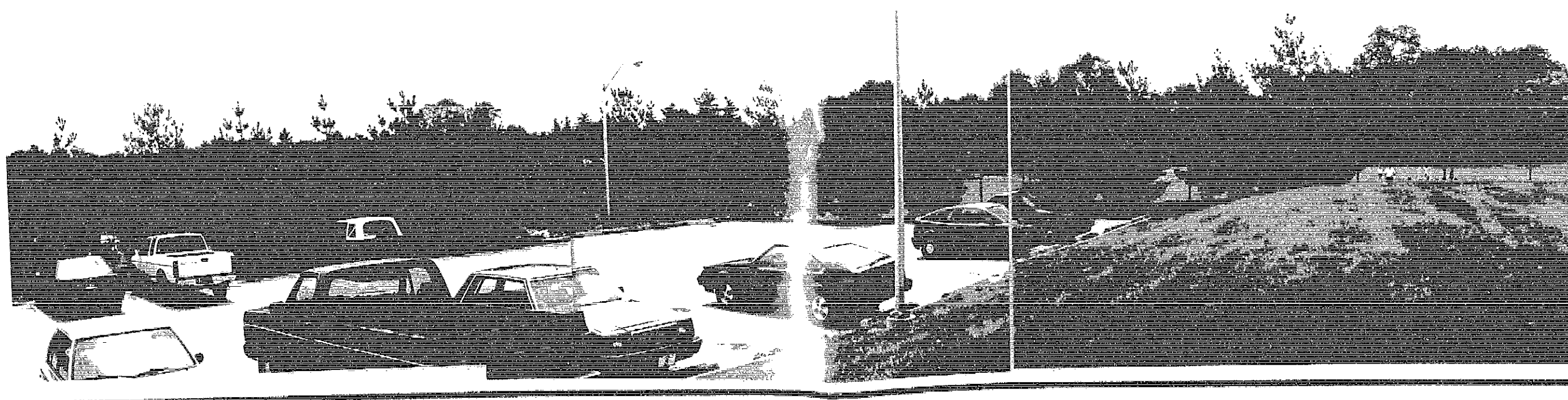


VICINITY MAP SCALE: 1" = 2000'

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND SITE PLAN IN CASE No. 84-268-X SPH, TO PERMIT THE CONSTRUCTION OF ONE ADDITIONAL SATELLITE RECEIVE DISH AND TO PERMIT A SATELLITE DISH FIELD IN



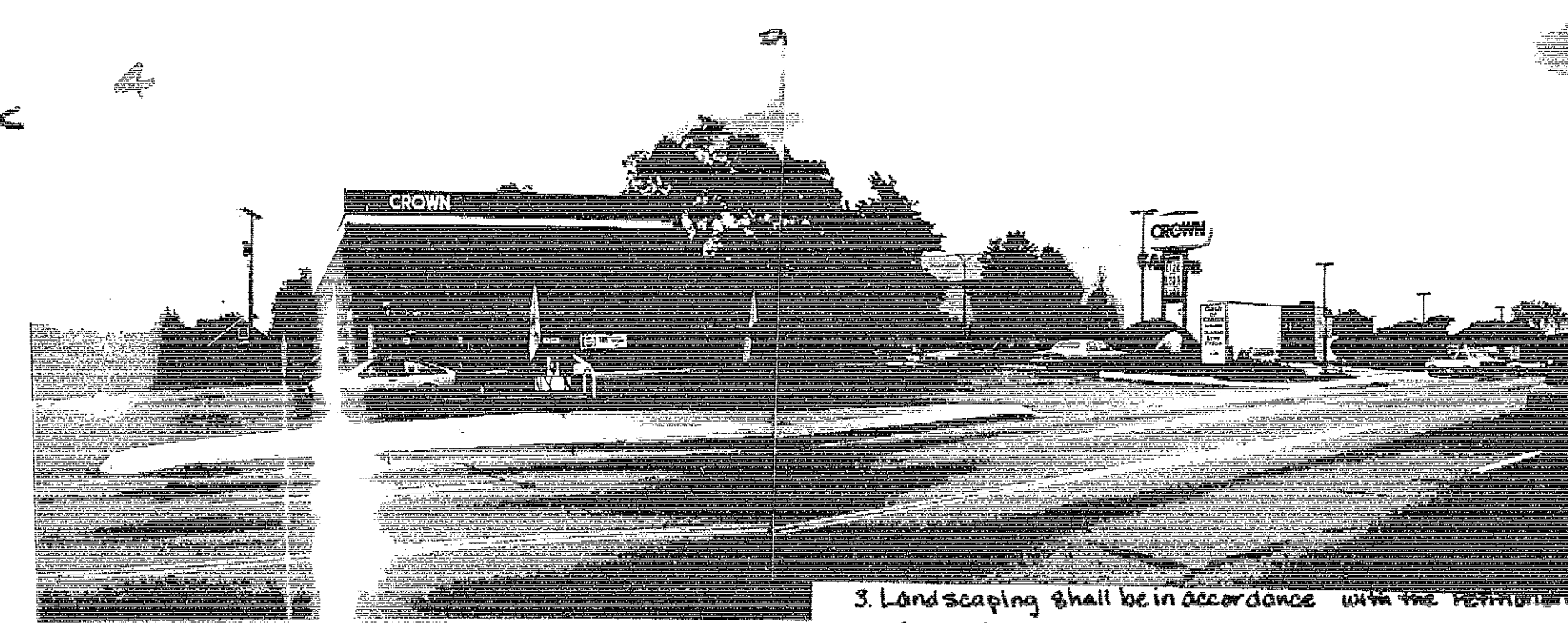
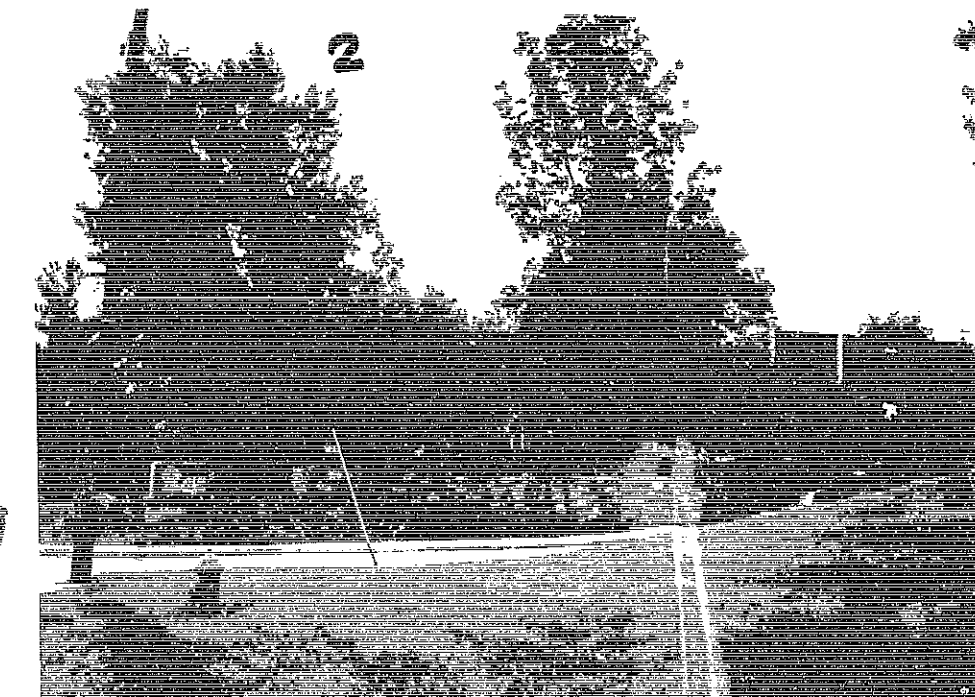
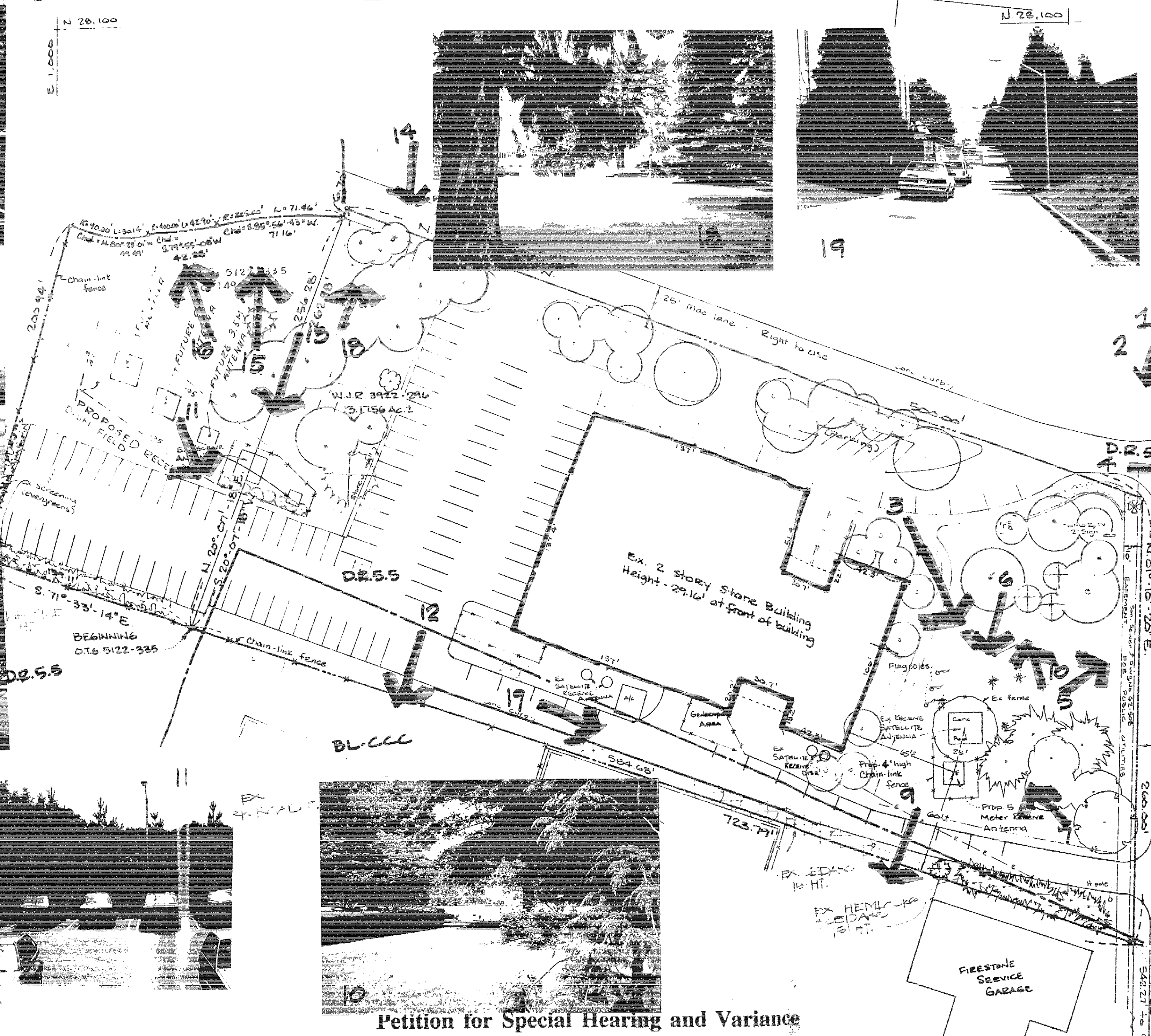
WILLIAM F. KIRWIN, INC.



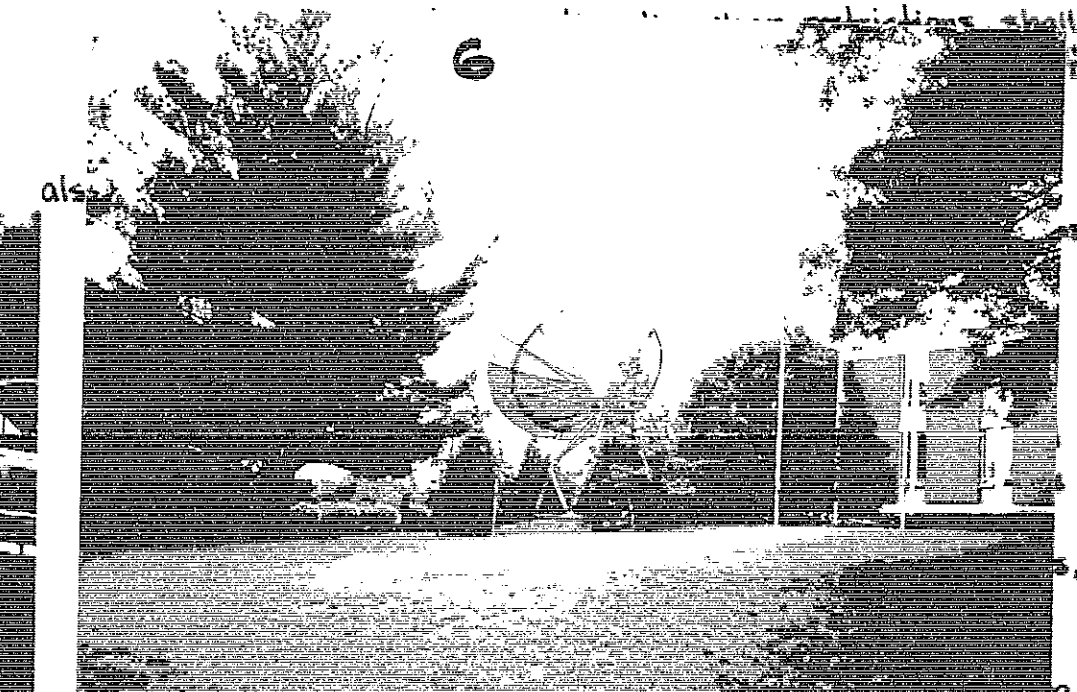
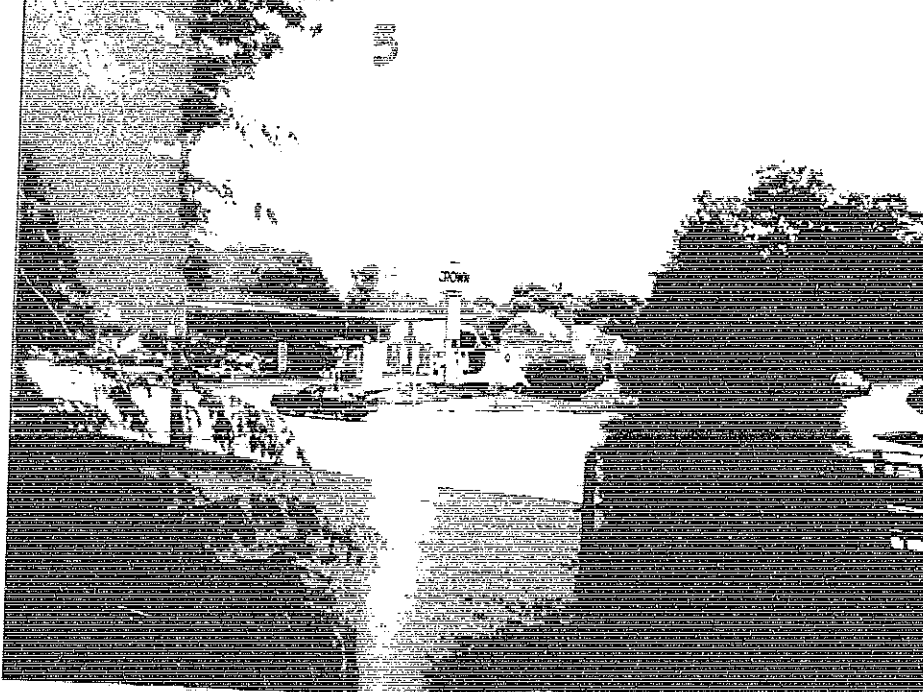
ROAD
ASTIN
110 669

MARYL
4116
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Petition for Special Hearing and Variance



3. Landscaping shall be in accordance with the minimum Exhibit 4 and 5.



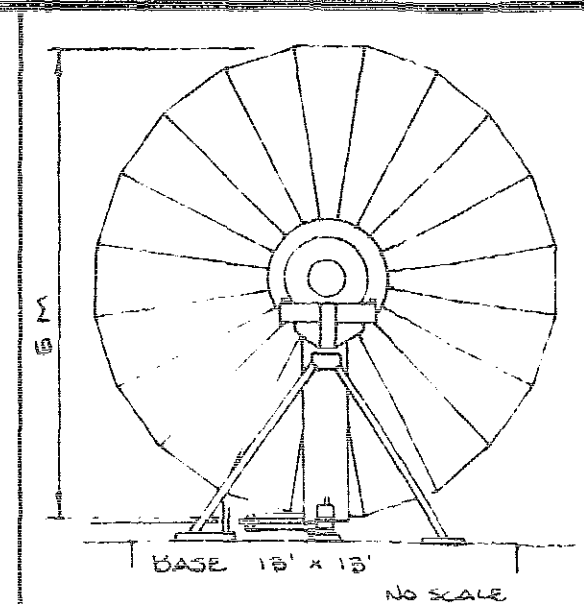
including landscaping and screening approved by the Current Planning and Development Division. approved JUNE 3, 1982.

5277-X to the use of the property for a radio station, a television studio and a wireless transmitting and receiving structure subject to the following restrictions:

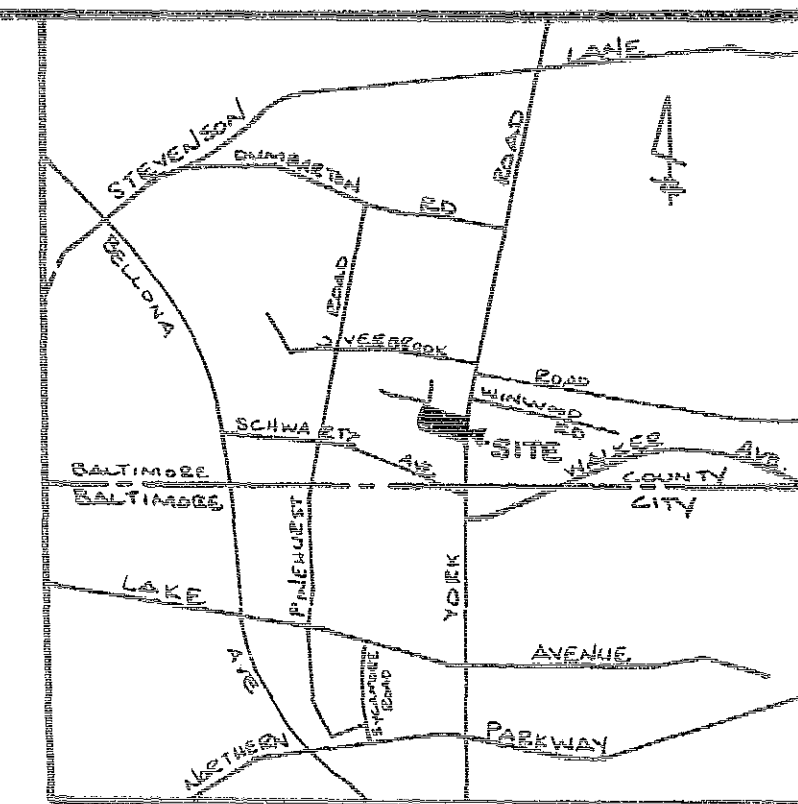
Wireless transmitting tower, instead of a tower, shall consist of a plastic concealed behind a plastic portion of the building. For both the staff and visitors and the parking lot shall be submitted to the Office of Planning arrival shall be returned to the and made a part of this Order. special exception is also subject to by the State Roads Commission and Development.

PETITIONER'S EXHIBIT 6





THE SATELLITE RECEIVE ANTENNA SHALL BE A 5 METER DISH, A MAXIMUM HEIGHT OF 20' AND BE HOUSED ON A CONCRETE PAD INSTALLED FLUSH WITH GROUND LEVEL AT GROUND'S LOWEST LEVEL.

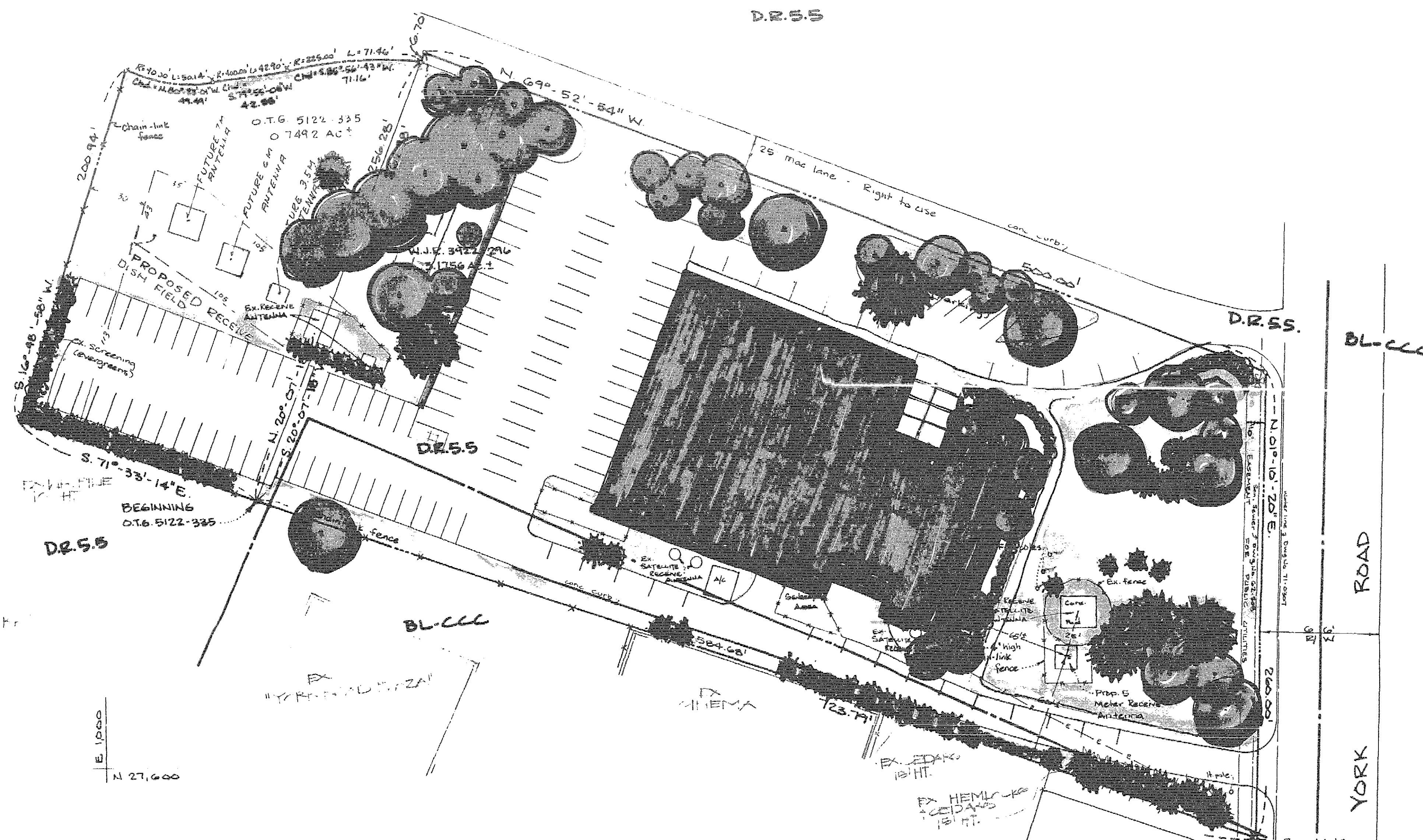


PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING TO AMEND SPECIAL EXCEPTION AND SITE PLAN IN CASE No. 84-268-X SPH, TO PERMIT THE CONSTRUCTION OF ONE ADDITIONAL SATELLITE RECEIVE DISH AND TO PERMIT A SATELLITE DISH FIELD IN THE REAR-SIDE YARD.

VARIANCE:
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PREVIOUS ZONING CASES:

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1. 3 meter dish shall have a maximum height of 12'
 2. Approval of aforementioned site plan by the Office of Planning and Zoning
- approved April 13, 1984
- 82-254 X sph to allow construction of a satellite receive antenna subject to the following restrictions:
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 2. The satellite receive antenna shall be a "meter dish", a maximum height of 20', and be housed on a concrete pad installed flush with ground level at ground's highest level.
 3. Landscaping shall be in accordance with the Petitioner's Exhibits 4 and 5.
 4. A revised site plan, incorporating the above restrictions, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.
- also to extend the boundaries of the existing studio to include additional parking subject to the following restrictions:
1. Compliance with Section 409.4 of the Baltimore County Zoning Regulations.
 2. The site plan shall indicate all existing parking on the entire site.
 3. Evergreen screening shall be planted on the west and south sides of the subject property adjacent to the Baltimore County Park.
 4. A revised site plan, incorporating the above restrictions, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approved by the Current Planning and Development Division.
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 2. Adequate parking for both the staff and visitors has been planned and the parking lot shall be screened.
 3. Final plans shall be submitted to the Office of Planning and Zoning and upon arrival shall be returned to the Zoning Commissioner and made a part of this Order.
 4. The granting of the special exception is also subject to approval of the plans by the State Roads Commission and the Bureau of Land Development.
- approved May 31, 1961



EXISTING CONDITIONS. WMAR - TV CHANNEL 2 Petition for Special Hearing and Variance

#6400 YORK ROAD
SCRIPPS HOWARD BROADCASTING COMPANY
Liber S.M. 8806 folio 669
9th ELECTION DISTRICT
4th COUNCILMATIC DISTRICT
ZONED D.R. 5.5
BALTIMORE COUNTY, MARYLAND
PROPERTY GROSS AREA: 4.116 AC.
NET AREA: 3.921 AC.

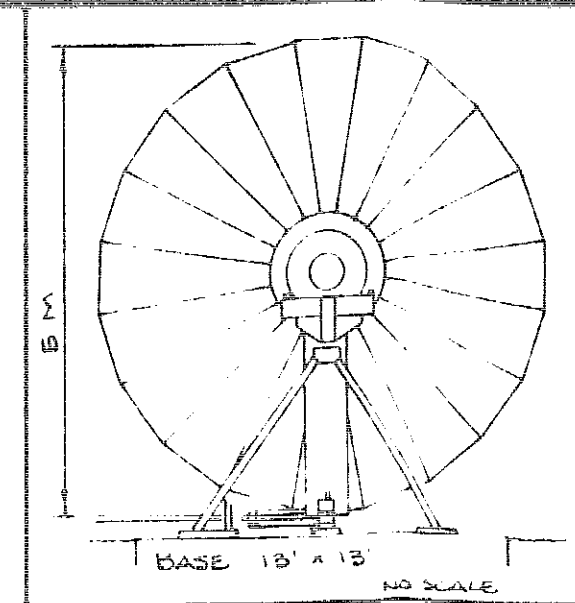
**PETITIONER'S
EXHIBIT 7**



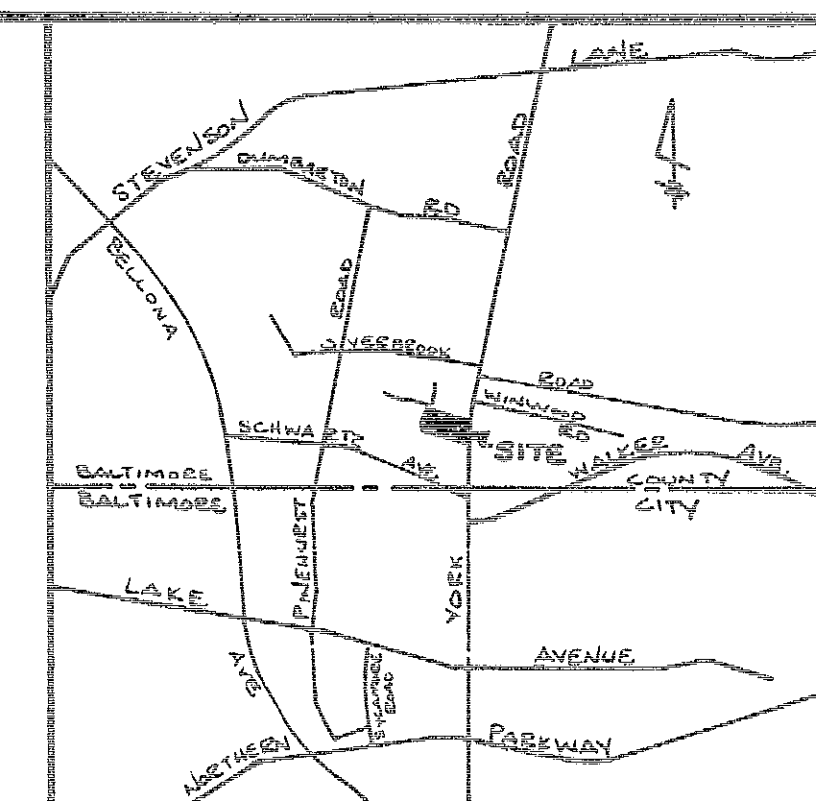
WILLIAM F. KIRWIN, INC.
Phone: 410.337.0075
Fax: 410.823.3827
28 E. Susquehanna Avenue
Towson, MD 21204-5285

Landscape Architecture
Land Planning
Environmental Design

SCALE: 1" = 40'
DATE: APRIL 9, 1992
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
(410) 823-4470

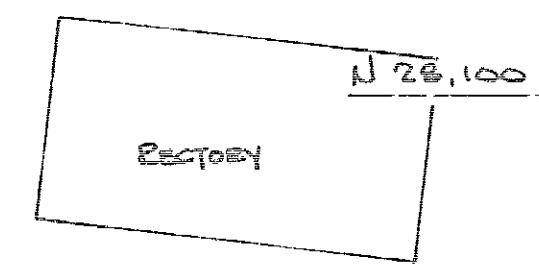


THE SATELLITE RECEIVE ANTENNA SHALL BE A 5 METER DISH, A MAXIMUM HEIGHT OF 20' AND BE HOUSED ON A CONCRETE PAD INSTALLED FLUSH WITH GROUND LEVEL AT SECONDS LOWEST LEVEL.



VICINITY MAP SCALE: 1"=2000'

MOST REVEREND FRANCIS P. KEOUGH
ARCHBISHOP OF BALTIMORE

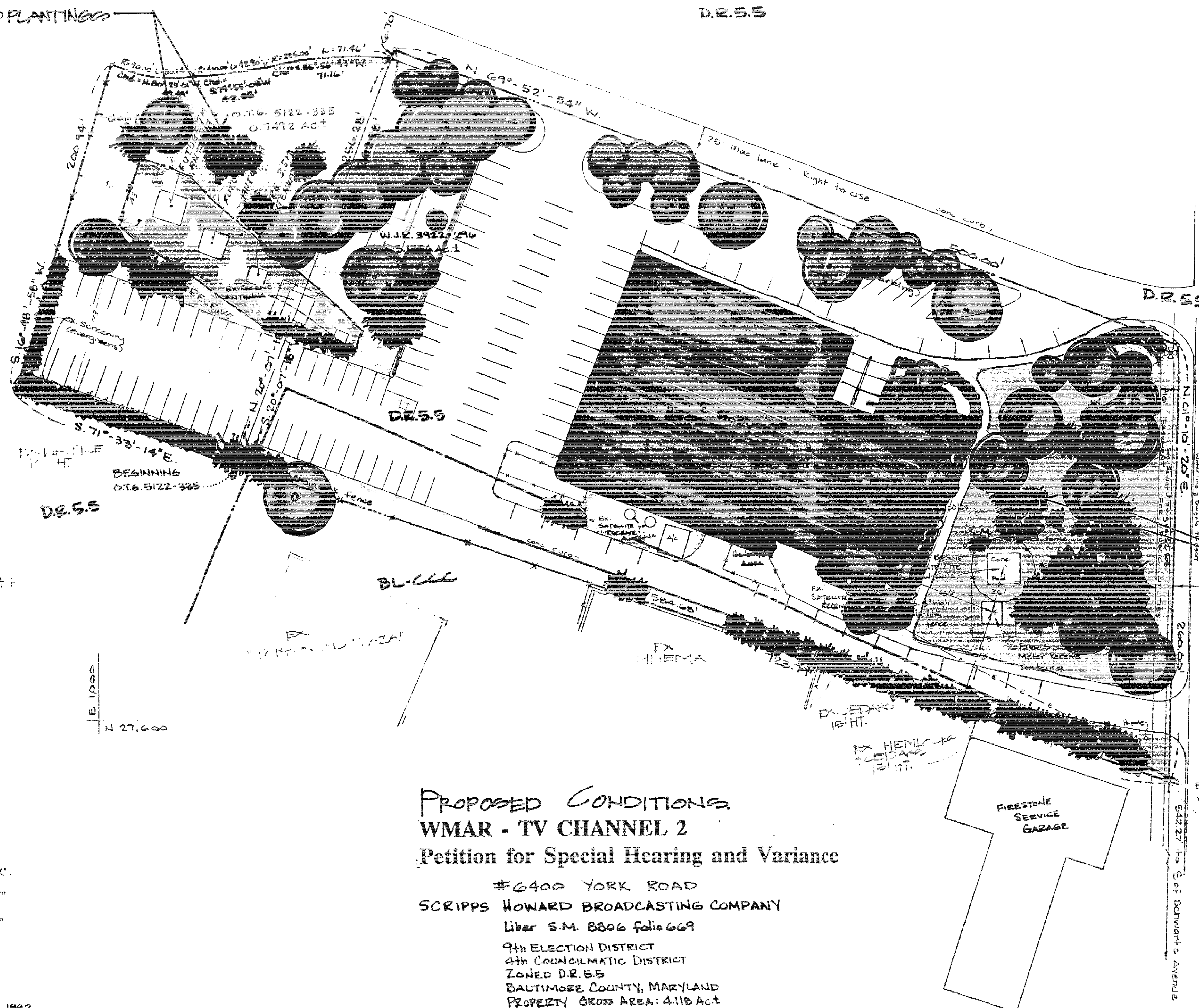


PROPOSED PLANTINGS

D.R.5.5

ATHLETIC FIELD
BALTIMORE COUNTY,
MARYLAND

D.R.5.5



BL-CCC

ROAD

YORK

PROPOSED PLANTINGS

PROPOSED CONDITIONS **WMAR - TV CHANNEL 2** **Petition for Special Hearing and Variance**

#6400 YORK ROAD
SCRIPPS HOWARD BROADCASTING COMPANY
Liber S.M. 8806 folio 669
9th ELECTION DISTRICT
4th COUNCILMATIC DISTRICT
ZONED D.R.5.5
BALTIMORE COUNTY, MARYLAND
PROPERTY GROSS AREA: 4.116 AC.
NET AREA: 3.921 AC.

**PETITIONER'S
EXHIBIT 8**



WILLIAM F. KIRWIN, INC.
Phone: 410.337.0075
Fax: 410.823.3827
28 E. Singshanna Avenue
Towson, MD 21204-5285

Landscape Architecture
Land Planning
Environmental Design

SCALE: 1"=40'
DATE: APRIL 9, 1992
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
(410) 823-4470

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING TO AMEND SPECIAL EXCEPTION AND SITE PLAN IN CASE No. 84-268-X SPH, TO PERMIT THE CONSTRUCTION OF ONE ADDITIONAL SATELLITE RECEIVE DISH AND TO PERMIT A SATELLITE DISH FIELD IN THE REAR-SIDE YARD.

VARIANCE:
To permit an accessory satellite receiving dish to be located in the front yard in lieu of the rear yard and to permit a dish of 16.5 feet in diameter in lieu of the maximum 10 feet [429.2']

PREVIOUS ZONING CASES:

- 84-268 sph to permit construction of 2 additional satellite receive antennas subject to the following restrictions:
 1. 9 meter dish shall have a maximum height of 12'
 2. Approval of aforementioned site plan by the Office of Planning and Zoning
 approved April 13, 1984
- 82-254-X sph to allow construction of a satellite receive antenna subject to the following restrictions:
 1. The site plan shall indicate the exact placement of the satellite receive antenna.
 2. The satellite receive antenna shall be a "meter dish", a maximum height of 28', and be housed on a concrete pad installed flush with ground level at ground's highest level.
 3. Landscaping shall be in accordance with the Petitioner's Exhibits 4 and 5.
 4. A revised site plan, incorporating the above restrictions, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.
 also to extend the boundaries of the existing studio to include additional parking subject to the following restrictions:
 1. Compliance with Section 401.4 of the Baltimore County Zoning Regulations.
 2. The site plan shall indicate all existing parking on the entire site.
 3. Evergreen screening shall be planted on the west and south sides of the subject property adjacent to the Baltimore County Park.
 4. A revised site plan, incorporating the above restrictions, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approved by the Current Planning and Development Division.
 approved JUNE 3, 1982
- 52-77-X to the use of the property for a radio station, a television studio and a wireless transmitting and receiving structure subject to the following restrictions:
 1. There will be no wireless transmitting tower, instead there will be a connecting link which consists of a dish-shaped object completely concealed behind a plastic window in the upper portion of the building.
 2. Adequate parking for both the staff and visitors has been planned and the parking lot shall be screened.
 3. Final plans shall be submitted to the Office of Planning and Zoning and upon arrival shall be returned to the Zoning Commissioner and made a part of this Order.
 4. The granting of the special exception is also subject to approval of the plans by the State Roads Commission and the Bureau of Land Development.
 approved May 31, 1961

Ag TMK

AMENDED PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a special hearing under Section 502.2 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the special exception and site plan in Case No. 84-2683SPH

to permit the construction of one (1) additional accessory satellite receiving dish and to permit an accessory satellite dish field in the rear side yard for receiver dishes only.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:
(Type or Print Name)

Address

City and State

Towson, Maryland 21204

Attorney's Telephone No.: 410-823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

S.C.O.-No.1

ORDER RECEIVED FOR FILING

Date 4/18/92

By [Signature]

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-420-SPHA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 429.2 to permit an accessory satellite receiving dish to be located in the front yard in lieu of the rear yard and to permit a dish of 16.5 feet in diameter in lieu of the maximum of ten feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Practical difficulty and unreasonable hardship will result if strict compliance is mandated because the subject television studio site is an existing facility and the additional 5 meter dish type satellite receiver is necessary for the station to continue to meet its high standards of service for its viewers.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:
(Type or Print Name)

Address

City and State

Towson, Maryland 21204

Attorney's Telephone No.: 410-823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING

Date 4/18/92

By [Signature]

PHILIP R. CROSS
JOHN P. ETZEL
WILLIAM S. LUDWIG
JOSEPH T. LAMON
DAVID S. RABOONE

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

ERNESTUS
PAUL R. HOLLANDERS
PHILIP W. HOLLANDERS
CARL L. HOLLANDERS

WHAR ZONING DESCRIPTION

All that piece or parcel of land situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point on the west side of York Road at the distance of 542.27 feet measured northerly along the west side of York Road from the center of Schwartz Avenue and running thence and binding on the west side of York Road, North 1 degree 10 minutes 20 seconds East 260.00 feet, thence leaving said road and binding on the property of the Petitioner herein the following seven lines viz: North 69 degrees 52 minutes 54 seconds West 500.00 feet, South 20 degrees 07 minutes 18 seconds West 6.70 feet, by a line curving to the left having a radius of 225.00 feet for a distance of 71.46 feet, thence by a line curving to the right having a radius of 400.00 feet for a distance of 42.90 feet, by a line curving to the right having a radius of 90.00 feet for a distance of 50.14 feet, South 16 degrees 48 minutes 58 seconds West 200.94 feet and South 71 degrees 33 minutes 14 seconds East 723.79 feet to the place of beginning.

Containing 3.92 Acres more or less.



William S. Ludvig

92-420-SPHA

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9 Date of Posting: 5/12/92

Posted for: Special Hearing, Variance

Petitioner: Scripps Howard Broadcasting Co.

Location of property: 415 York Rd. 5th N. of J. Schwartz

Location of Sign: in front of lot on York Rd.

Remarks: [Signature]

Posted by: [Signature] Date of return: 4/18/92

Number of Signs: 2

CERTIFICATE OF PUBLICATION

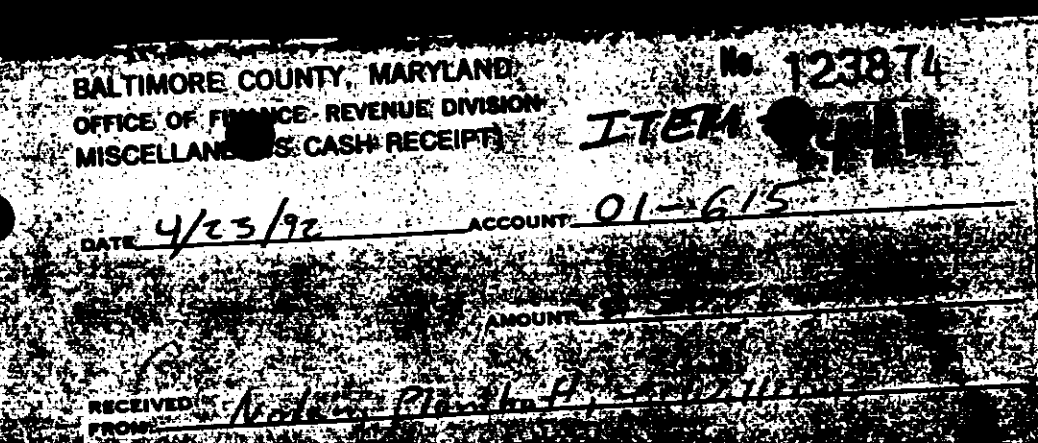
TOWSON, MD. 5/14 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/14 1992

THE JEFFERSONIAN,

S. Zake-Orkum
Publisher

\$52.19



receipt

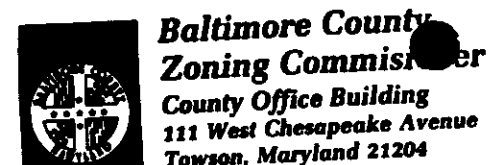
Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 6/09/92 Account: R-001-6150 Number

PUBLIC HEARING FEES QTY PRICE
080 -POSTING SIGNS / ADVERTISING 1 X \$122.19
TOTAL: \$122.19
LAST NAME OF OWNER: SCRIPPS HOWARD

04A04#0169HICRC \$122.19
BA C012#46PM06-09-92
Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

PAID PER HAND-WRITTEN RECEIPT DATED 4/23/92

5/04/92 H9200441

PUBLIC HEARING FEES QTY PRICE
020 -ZONING VARIANCE (OTHER) 1 X \$250.00
040 -SPECIAL HEARING (OTHER) 1 X \$250.00
TOTAL: \$500.00

LAST NAME OF OWNER: SCRIPPS HOWARD

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: 5-27-92

Scripps Howard Broadcasting Company
6400 York Road
Baltimore, Maryland 21212

RE:
CASE NUMBER: 92-420-SPHA
415 York Road, 542' W of c/l Schwartz Avenue
6400 York Road
9th Election District - 4th Councilmanic
Petitioner(s): Scripps Howard Broadcasting Company
415 York Rd.

Dear Petitioner(s):

Please be advised that \$ 122.19 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SIGN(S) MUST BE RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SIGN(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your check number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

[Signature]

ARNOLD JABLON
DIRECTOR

cc: Stephen J. Nolan, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

MAY 6, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 113, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-420-SPHA
415 York Road, 542' W of c/l Schwartz Avenue
6400 York Road
9th Election District - 4th Councilmanic
Petitioner(s): Scripps Howard Broadcasting Company
415 York Rd.
HEARING: MONDAY, JUNE 8, 1992 at 9:00 a.m.

Special Hearing to approve an amendment to the special exception and site plan in Case #92-420-SPHA to permit the construction of one additional accessory satellite receiving dish; and to permit an accessory satellite dish field in the rear side yard.
Variance to permit an accessory satellite receiving dish to be located in the front yard in lieu of the rear yard; and to permit a dish of 16.5 feet in diameter in lieu of the maximum of 10 feet.

[Signature]
Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Scripps Howard Broadcasting Company
Stephen J. Nolan, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 847-3353.

May 27, 1992

Stephen J. Nolan, Esquire
Nolan, Plumbhoff & Williams
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No. 441, Case No. 92-420-SPHA
Petitioner: Scripps Howard Broadcasting
Petition for Special Hearing and
Variance

Dear Mr. Nolan:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Your petition has been received and accepted for filing this
23rd day of April, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Rebeck
Chairman,
Zoning Plans Advisory Committee

Petitioner: Scripps Howard Broadcasting Company
Petitioner's Attorney: Stephen J. Nolan

DATE: May 6, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famill

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: May 4, 1992

LEGAL OWNER: Scripps Howard Broadcasting Co. 441

1. There are several more parking spaces that are actually existing and not shown on the submitted plan.
2. The existing access at the northern property line west of the existing first driveway needs to be changed to one-way access inbound or the existing parallel parking spaces along that access need to be eliminated.

RJF/dm

Rahee J. Famill
Rahee J. Famill
Traffic Engineer II

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: SCRIPPS HOWARD BROADCASTING COMPANY

Location: #6400 YORK ROAD

Item No.: 441 (MJK) Zoning Agenda: MAY 4, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWERS: *Noted and Approved*
Planning Group
Special Inspection Division
Fire Prevention Bureau

JP/KEK

RECEIVED
MAY 11 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 7, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 11, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for the following properties:

Scripps Howard Broadcasting Company ✓ 441
6400 York Road

Huntington Development Corporation
3216 Hunting Tweed Drive

Waldon J. Stevanus & Margaret O. Stevanus
8524 Vollmert Avenue

Rita L. Ruff
1307 Elma Road

Jeffrey W. Sheldon & Charles H. Sheldon
211 Nicodemus Road

Eric vanden Beemt & Patricia vanden Beemt
16616 Renare Road

Wm R. Sturgeon & Carol L. Sturgeon
8715 Windsor Mill Road

Warren E. Downey & Linda M. Downey
1227 Weddel Avenue

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAF:s

Stephen J. Nolan, Esquire
210 West Pennsylvania Avenue, Suite 700
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
W/S York Road, 542' N of the c/l of Schwartz Avenue
(5400 York Road)
9th Election District - 4th Councilmanic District
Scripps Howard Broadcasting Co. - Petitioner
Case No. 92-420-SPHA

Dear Mr. Nolan:

This Office is in receipt of your letter dated September 20, 1993 in which you requested an extension of time to complete the required landscaping in the above-captioned matter. In consideration of the delays expressed in your letter, I have agreed to grant your request.

In the event you have any further concerns, please do not hesitate to contact me.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

THK:bjs

cc: file

MEMORANDUM

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Office of Planning and Zoning

DATE: May 15, 1992

SUBJECT: WHAR-TV

INFORMATION:
Item Number: 441

Petitioner: Scripps Howard Broadcasting Company

Property Size: 3.921 acres

Zoning: D.R. 5.5

Requested Action: Special Hearing

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The petitioner, WHAR-TV, is requesting a special hearing to amend an existing special exception to permit one additional satellite receiving dish and to permit an accessory satellite dish field in the rear side yard. Also, the petitioner is requesting a variance to permit a satellite receiving dish to be located in the front of 16.5 feet in diameter in lieu of 10 feet.

The placement of the satellite dish in the front yard is a concern to the Office of Planning and Zoning. This site is located on the York Road corridor and is highly visible at this location. Residential neighborhoods surround this particular site and should be protected from the visual intrusion created by the satellite dish. If this particular satellite dish which is located in the front yard is approved without provision of landscape screening visual intrusion of the dish will result.

RECEIVED
MAY 19 1992

WHARTV/ZAC1

ZONING OFFICE 1

ZAC COMMENTS

Based upon the analysis conducted and information provided staff recommends APPROVAL of the petitioner's request subject to the following:

1. Dense landscape screening should be provided in order to shield the satellite dish from public view.
2. Berming in conjunction with landscaping should also be considered.

Prepared by:

Division Chief: *Emmie McDaniel*

FM:rdn

WHARTV/ZAC1

Pg. 2

Department of Environmental Protection & Resource Management
Development Review Committee
Authorized signature: *[Signature]* Date: 5/11/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
3838 North Point Boulevard			4-27-92
DEPRM STP (To CBCA)		<i>with comments</i>	
14311 Old Hanover Road		WC	
DEPRM (To EIRD)			
1243 Lanover Road		WC	
DEPRM STP (To EIRD)			
1313-1315 York Road		WC	
DEPRM STP (To EIRD)			
8 Kelbark Court		NC	
DEPRM (To EIRD)			
1500 Glencoe Road - Oldfields School, Inc.		WC	
STP DEPRM RP (To EIRD)			
4500 Jolly Acres Road	429	WC	
DEPRM (To EIRD)			
8209 Bullneck Road	430	WC	
DEPRM (To CBCA)			

COUNT 10

George Raduano And Elizabeth Raduano	#440	5-4-92
DEPRM RP STP TE		
Scripps Howard Broadcasting Company	#441	NC
DEPRM RP STP TE		
Huntington Development Corporation (Hunting Tweed Drive)		
DEPRM RP STP TE		
Waldon J. And Margaret O. Stevanus		

in process
in process

Department of Recreation and Parks
Development Review Committee
Authorized signature: *[Signature]* Date: 5/4/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
1500 Glencoe Road - Oldfields School, Inc.	432		4-27-92
STP DEPRM RP (To EIRD)		<i>No Comments</i>	

COUNT 1

George Raduano And Elizabeth Raduano			5-4-92
DEPRM RP STP TE	#440	<i>No Comments</i>	
Scripps Howard Broadcasting Company			
DEPRM RP STP TE	#441	<i>No Comments</i>	
Huntington Development Corporation (Hunting Tweed Drive)			
DEPRM RP STP TE	#442	<i>No Comments</i>	
Waldon J. And Margaret O. Stevanus			
DEPRM RP STP TE	#443	<i>No Comments</i>	
Rita L. Ruff	#444	<i>No Comments</i>	
DEPRM RP STP TE			
Jeffery W. And Charles H. Sheldon			
DEPRM RP STP TE	#445	<i>No Comments</i>	
Eric and Patricia vanden Beemt			
DEPRM RP STP TE	#446	<i>No Comments</i>	
William R. And Carol L. Sturgeon			
DEPRM RP STP TE	#447	<i>No Comments</i>	
Larry R. And Dianna L. Long			
DEPRM RP STP TE	#448	<i>No Comments</i>	
Warren E. And Linda M. Downey			
DEPRM RP STP TE	#449	<i>No Comments</i>	

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
STEPHEN J. NOLAN	700, 210 U. PENNA. AVE.
WILLIAM F. KIRWIN	TOWSON, MD 21204
ARNO J. KIRWIN	28 E. BLOOMING AVE.
	TOWSON, MD 21204
	6400 York Rd.
	ARNO MD 21212
	6400 YORK ROAD
	BALTIMORE, MD 21212
	6400 York Rd.
	BALTIMORE, MD 21212
	327 Mendenhall Rd.
	BALTIMORE, MD 21212
	Gerhard Cross - ETZEL
	412 Delaware Avenue
	TOWSON MD 21236
	6405 Pinehurst Road
	21212

NEWTON A. WILLIAMS
THOMAS J. KENNER
WILLIAM F. ENGLEHART, JR.
STEPHEN J. NOLAN
ROBERT L. HANLEY, JR.
ROBERT S. GUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
LOUIS E. GLOUSE
GREGORY J. JONES
JOSEPH CURRAN, III
*ALSO ADMITTED IN N.J.
*ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

JAMES D. NOLAN
J. EARLE PLUMHOFF
RALPH E. DEITZ
OF COUNSEL
T. BATARD WILLIAMS, JR.
RICHARD L. SCHAEFFER
WRITER'S DIRECT DIAL
823 7853

Mr. Mitchell Kellman
Planner
Zoning Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Scripps Howard Broadcasting Company

Dear Mitch:

Enclosed please find our firm's check in the amount of Five Hundred (\$500.00) Dollars made payable to Baltimore County, Maryland for filing the Petition for Zoning Variance and Petition for Special Hearing in the above-referenced matter.

I am also enclosing the following documents:

- Three (3) copies of the Zoning Description;
- Ten (10) copies of the plats;
- One (1) 200 scale map.

Thank you for your assistance in this matter.

Very truly yours,

Stephen J. Nolan
Stephen J. Nolan

SJN/mao

encl.

NEWTON A. WILLIAMS
THOMAS J. KENNER
WILLIAM F. ENGLEHART, JR.
STEPHEN J. NOLAN
ROBERT L. HANLEY, JR.
ROBERT S. GUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
LOUIS E. GLOUSE
GREGORY J. JONES
JOSEPH CURRAN, III
CHRISTINE A. MSHERRY
*ALSO ADMITTED IN D.C.
*ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

JAMES D. NOLAN
J. EARLE PLUMHOFF
RALPH E. DEITZ
OF COUNSEL
T. BATARD WILLIAMS, JR.
RICHARD L. SCHAEFFER
WRITER'S DIRECT DIAL
823 7853

September 20, 1993

VIA HAND DELIVERY

Honorable Timothy M. Kotroco
Deputy Zoning Commissioner for
Baltimore County
Old Court House
Towson, Maryland 21204

Re: Case No.: 92-420-SPHA
Petitioner: Scripps Howard Broadcasting Co.
6400 York Road - REQUEST FOR EXTENSION

Dear Commissioner Kotroco:

On June 18, 1992, following a special zoning hearing, you entered Findings of Fact and Conclusions of Law and an Order granting our client, Scripps Howard Broadcasting Company's Petition for Special Hearing and Zoning Variance to permit the construction of one additional accessory satellite receiving dish and to permit an accessory satellite dish field at their studio property located at 6400 York Road. A copy of that Order is enclosed herewith. Pursuant to item number 3 of that Order, all landscaping was to be completed within one (1) year of the date of the Order.

Mr. Joseph M. Bruno, WMAR-TV's Director of Engineering, has advised me that there has been site work including the replacement of a water main to the building, which had unexpectedly delayed the implementation of the approved landscape plan. Nevertheless, Mr. Bruno has obtained three alternate bid proposals from landscape firms to complete the work by the second week of November, 1993.

Accordingly, we are respectfully requesting an extension, nunc pro tunc of the original one year deadline, to a revised deadline of November 15, 1993. Both Mr. Bruno and our landscape consultant, Mr. William Kirwin, have spoken with Ms. Jean K. Duvall concerning the reason for the delay.

[Signature]



October 30, 1992

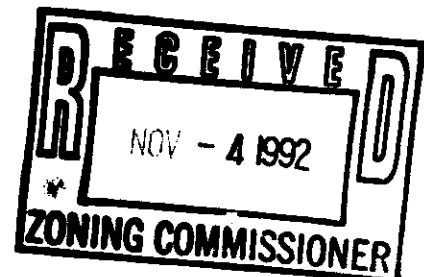
Mr. Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County
Suite 113 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Planting Plan, WMAR TV Channel 2

Dear Mr. Kotroco,

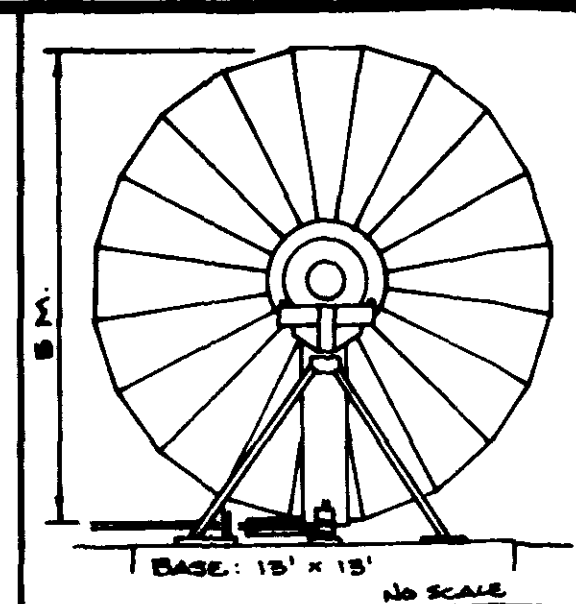
I have enclosed, for your records, a copy of the approved planting plan for WMAR TV on York Road. The plan was prepared in accordance with Zoning Order, Case #92-420-SPHA, requesting a special hearing and zoning variance. This plan has been reviewed and approved by Avery Harden, Baltimore County Landscape Planner and Arnold P. Keller, Deputy Director of Planning for Baltimore County.

Sincerely,
WILLIAM F. KIRWIN, INC.
[Signature]
Zolna Russell
Registered Landscape Architect

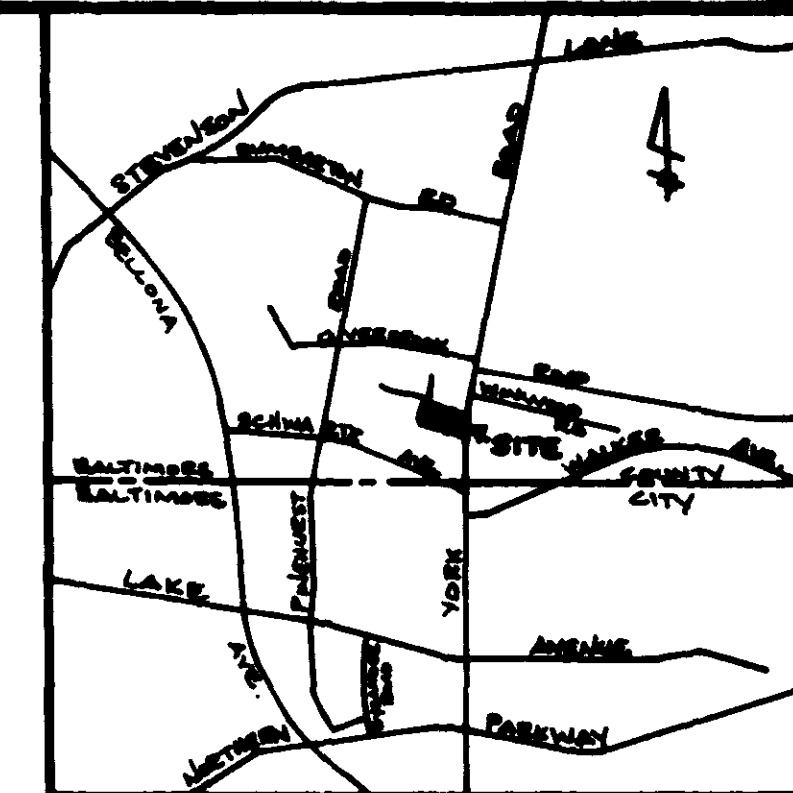
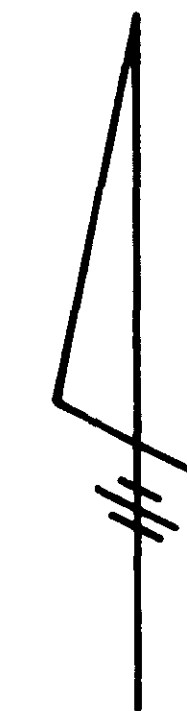


WILLIAM F. KIRWIN, INC.
Landscape Architect
Land Planning
Environmental Design
28 E. Susquehanna Avenue
Towson, MD 21206-5218
Phone: 410.337.0075
Fax: 410.823.3827





THE SATELLITE RESERVE ANTENNA SHALL BE A 5 METER DISH, A MAXIMUM HEIGHT OF 20' AND BE HOUSED ON A CONCRETE PAD INSTALLED FLUSH WITH GROUND LEVEL AT GROUND'S LOWEST LEVEL.



VICINITY MAP SCALE: 1"=2000'

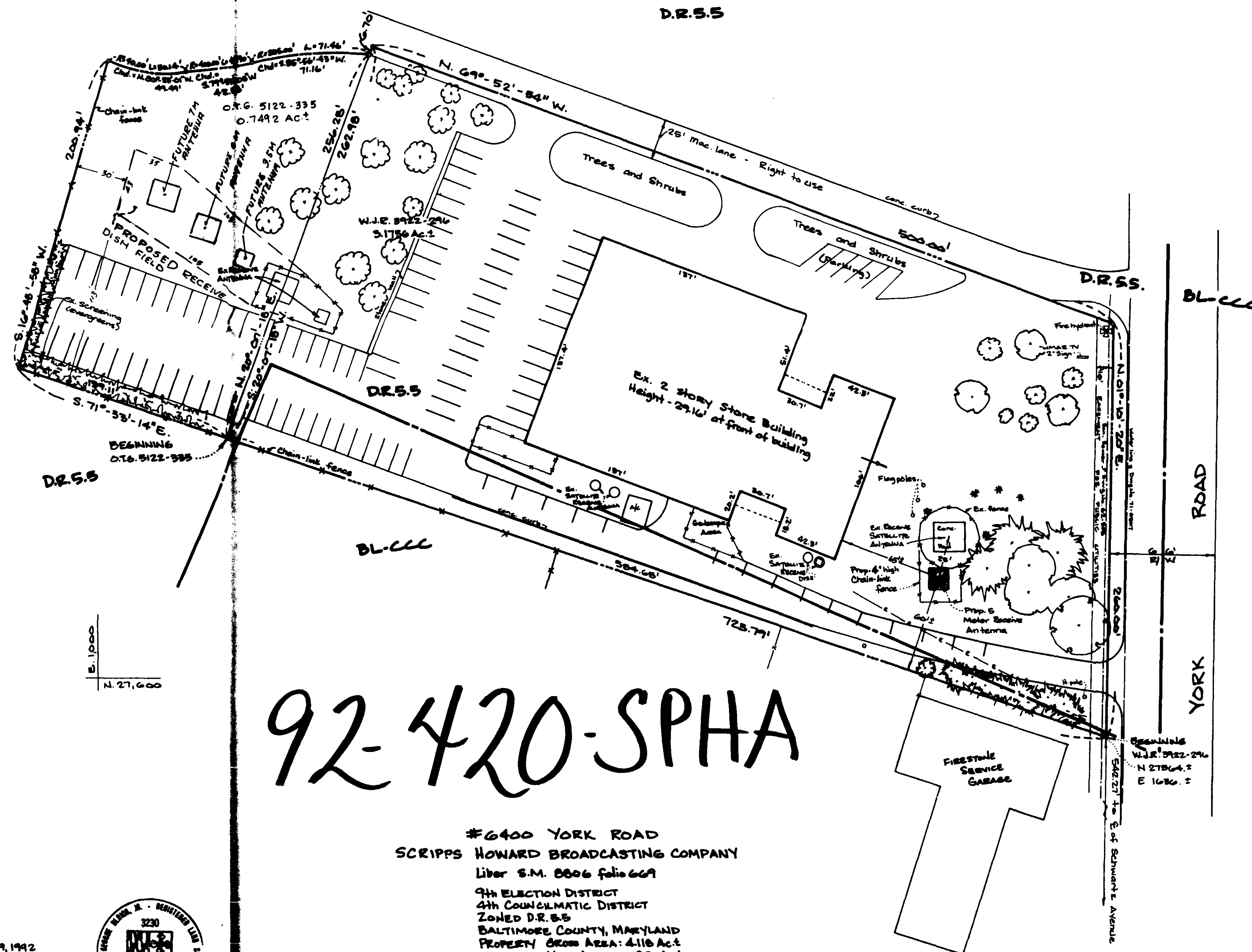
PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING TO AMEND SPECIAL EXCEPTION AND SITE PLAN IN CASE No. 84-268-X SPH, TO PERMIT THE CONSTRUCTION OF ONE ADDITIONAL SATELLITE RECEIVE DISH AND TO PERMIT A SATELLITE DISH FIELD IN THE REAR-SIDE YARD.

VARIANCE:
To permit an accessory satellite receiving dish to be located in the front yard in lieu of the rear yard and to permit a dish of 6.5 feet in diameter in lieu of the maximum 10 feet [429.2']

PREVIOUS ZONING CASES:

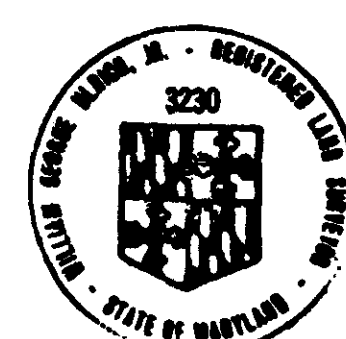
- 84-268 sph to permit construction of 2 additional satellite receive antennae subject to the following restrictions:
 1. 9 meter dish shall have a maximum height of 12'
 2. Approval of aforementioned site plan by the Office of Planning and Zoning approved April 15, 1984
- 82-284 X sph to allow construction of a satellite receive antenna subject to the following restrictions:
 1. The site plan shall indicate the exact placement of the satellite receive antenna.
 2. The satellite receive antenna shall be a "T-mast" dish, a maximum height of 20', and be housed on a concrete pad installed flush with ground level at ground's highest level.
 3. Landscaping shall be in accordance with the Petitioner's Exhibits 4 and 5.
 4. A revised site plan, incorporating the above restrictions, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.
- also to extend the boundaries of the existing studio to include additional parking subject to the following restrictions:
 1. Compliance with Section 409.4 of the Baltimore County Zoning Regulations.
 2. The site plan shall indicate all existing parking on the entire site.
 3. Evergreen screening shall be planted on the west and south sides of the subject property adjacent to the Baltimore County Park.
 4. A revised site plan, incorporating the above restrictions, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approved by the Current Planning and Development Division.
- approved JUNE 3, 1982
- 5271-X to the use of the property for a radio station, a television studio and a wireless transmitting and receiving structure subject to the following restrictions:
 1. There will be no wireless transmitting tower, instead there will be a concealing link which consists of a dish-shaped object completely concealed behind a plastic window in the upper portion of the building.
 2. Adequate parking for both the staff and visitors has been planned and the parking lot shall be screened.
 3. Final plans shall be submitted to the Office of Planning and Zoning and upon arrival shall be returned to the Zoning Commissioner and made a part of this Order.
 4. The granting of the special exception is also subject to approval of the plans by the State Roads Commission and the Bureau of Land Development.
- approved May 31, 1961

PETITIONER'S EXHIBIT 1

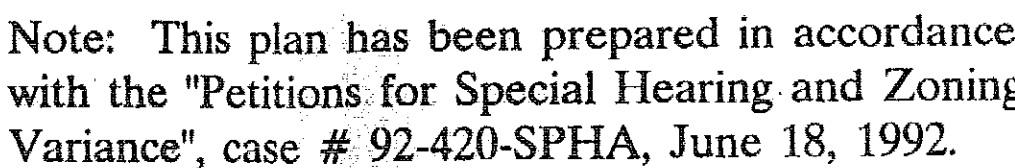


#6400 YORK ROAD
SCRIPPS HOWARD BROADCASTING COMPANY
Liber S.M. 8806 folio 669
9TH ELECTION DISTRICT
24th CONGRESSIONAL DISTRICT
Zoned D.R.S.S.
BALTIMORE COUNTY, MARYLAND
PROPERTY Gross Area: 4.110 Ac.
NET AREA: 3.921 Ac.

SCALE: 1"=40'
DATE: APRIL 9, 1992
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
(410) 823-4470



William S. Uhlir



Proposed Plantings

WFK **WILLIAM F. KIRWIN, INC.**
Land Planning/Landscape Architecture
28 E. Susquehanna Avenue
Towson, MD 21204
Phone 301/337-0075

Joseph Bruno 10/22/92
Applicant's signature
JOSEPH BRUNO, DIR. OF ENGINEERING
Applicant's name (printed)
WMAR-TV 377.2222
Company Phone
6400 YORK RD, BALTIMORE 21212
Address

Planting Detail

9th Election District
1" = 40'